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CINQUE PORTS

HISTORIC TOWNS.

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E. A. FREEMAN, D.C.L. and the REV. WILLIAM HUNT, M.A.

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Historic Towns

CINQUE PORTS

BY

MONTAGU BURROWS

Captain R.N.; Chichele Professor of Modern History in the University of Oxford

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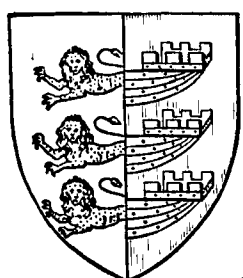

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PREFACE.

THAT the history of the Cinque Ports, which forms no small part of the history of England, should never yet have been written, may be attributed to the depressed condition into which the Ports fell in the fifteenth and sixteenth centuries. Just at the period when historical literature was taking shape the palsy of decay was creeping over their once vigorous life; their chief inhabitants migrated to London and other seats of commerce more prosperous than their own; their older buildings fell to ruin and disappeared; their ancient records were neglected. Nevertheless the modern inquirer has reason to be grateful for good work done by a learned collector of charters like Mr. Jeake, in the seventeenth, and an able compiler from local records like Mr. Boys, of Sandwich, in the eighteenth, century. Later writers, like Lyon at Dover, Holloway at Rye, Cooper at Winchelsea, and Cole at Hastings, have followed in their footsteps; but the recent labours of the Historical Commissioners, the writers of the Rolls Series, and the Members of Archæological Societies, have conferred advantages quite unknown to earlier times.

To the Lord Warden, Barons, and other inhabitants of the Cinque Ports and their 'Members' the following

pages are offered with all respect. They will perceive that a general history of so large a subject can only, within the limited space allotted to these 'Historic Towns,' be a sketch, of which the central idea must of course be to depict the infancy and early triumphs of the British Navy, as practically represented by the Cinque Ports. To this collective history all details have had to be strictly subordinated; but it may be hoped that even a sketch will be the means of eliciting a desire for a complete work. If such a book were ever written, it should not only supply details, but produce the grounds for many conclusions on disputed points which can here be only summarily stated, perhaps also give the original documents, which lose some of their value by translation, and present some specimens of the vigorous English in which the Barons were wont to express themselves. It would be hard to find any body of men who more faithfully represented from age to age the English character as well as its language.

Even for this book it has been necessary not only to visit the several towns, but to examine portions of their records. To the guardians of these treasures who have kindly afforded access to them as well as valuable information, and to other learned correspondents who have helped to clear up the difficulties inherent in a history rendered obscure by its very antiquity, the hearty thanks of the writer are here gratefully rendered.

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THE CINQUE PORTS.

CHAPTER I.

INTRODUCTORY.

> They that bear
> The cloth of honour over her are four Barons
> Of the Cinque Ports.
>
> SHAKESPEARE: *Henry VIII.*

HASTINGS, SANDWICH, DOVER, ROMNEY, HYTHE—this is the order in which the Cinque Ports were ranked in the times when they formed a flourishing and important confederation. Winchelsea and Rye were added to these five so soon after the Norman Conquest, and were such an important addition, that they were soon identified with the rest in every respect. As however the first name had been too firmly rooted to be displaced, the new comers were officially known as 'the two Ancient Towns.' When therefore we wish to speak of this famous corporation with strict accuracy we say, 'The five Cinque Ports and two Ancient Towns.' The repetition of the number 'five' in this title probably never struck people so much as we might expect, since it very soon came to be merely a technical term, the French form of the word being pronounced, and very

often spelt 'Synke' or 'Sinke,' just as if it was the English 'Sink;' and as the idea of number came to be merged in that of franchises and public duties, the name of 'Cinque Port' was applied promiscuously to all the 'Members' or 'Limbs' which from time to time were taken up by and associated with the seven Head-Ports. These Members are divided into two distinct bodies, holding different positions in the Confederacy, the Corporate and the non-Corporate Members.

The difference between the Cinque Ports and the rest of the English coast towns is plainly indicated by mediæval custom, since they were generally spoken of collectively as 'The Ports.' This in any literal sense would be now impossible. Every one of them has 'suffered a sea-change'— some to the point of dissolution. Hence we are obliged to begin with the physical forces which have produced these effects, merely prefacing the account with the remark that, if any excuse is required for lingering upon the threshold of our subject, it may be found in its absolute singularity in the world's history. Neither ancient, mediæval, nor modern times, to use the familiar divisions, have afforded a parallel. The only approach to one is the career of the Hanse Towns; but, though somewhat similar features may be traced in the two confederations of fishermen and traders formed for the guardianship of the seas, each in the course of time receiving a military organization, and compacted by common laws and assemblies, yet the distinction between them is so great as to be one of kind rather than of degree.

The roots of the society with which we are concerned are intertwined with those which formed the

origin of the English people; we are about to trace their development into a great and powerful corporation charged with the control of a principal industry and food-supply of that people, the herring-fishery, trusted with the defence of the English shores and the passage to the Continent, gradually formed into a local Royal Navy and performing the most brilliant service, chartered by each Sovereign in turn with unrivalled privileges, honoured with the highest place above all others at Coronations, and retaining a titular rank, confined to themselves, which is not even yet obsolete. This Confederation has enjoyed the singular felicity of having taken on the one hand a leading part in establishing the constitutional liberties of England, and on the other of having supplied the chief weapon used by its kings in the consolidation of its territory and the restoration of its sovereignty in the Narrow Seas. It may also be fairly called the parent and exemplar of the Royal Navy itself. Though fallen into decay and ruined in the outpost service of the nation, its declining forces aroused themselves for one last gallant effort against the Spanish Armada. That may be considered its euthanasia.

It is pleasant, however, to be able to record not only past glories, but the singular rejuvenescence in our own times of many portions of the ancient stock. In the following pages this process will be traced in various directions: in none is it more noteworthy than in the general revival of interest in local documents, and the care bestowed on their orderly preservation.

CHAPTER II.

PHYSICAL CHANGES AT THE CINQUE PORTS.

The 'Law of Eastward Drift'—Changes on the Hastings coast—at Romney Marsh—on the Wantsum.

THE South-eastern shores of England have been more altered in form, more cut away in projecting parts, and more filled up in the recesses, than any others in the British Isles. This effect has been produced by the constant action of the winds and tides upon the materials within their reach, and with a remarkable uniformity on those portions of the coast which face the South-west. The projecting edges are smoothed away in lines from North-west to South-east as if cut straight by some mighty instrument; and the visitor, following the coast up Channel, will observe masses of shingle lining those shores with a regularity of which the least intelligent cannot but require an explanation. In the embayed portions of coast, and after he has passed the South Foreland, he will find sand instead of shingle. Though he may possess no special knowledge of the geological features of the country, he will see at once that these substances are heaped up by some potent agency of nature upon strata of a different kind from themselves.

Even as far west as the coast of Dorsetshire we have a conspicuous instance in Chesil Beach, one of the best known wonders of England; the projecting coast-lines of Sussex, ending with the ever-growing shingle-promontory of Dungeness over the border, possess much the same character as Chesil Beach; and all along the coast of Kent up to the South Foreland, vast accumulations of shingle were heaped up before Dungeness began to stop the process, and gradually became, by appropriating the drift, what it is now. Incessantly travelling from West to East, accelerated every mile by the narrowing space through which they have to make their way, and at length rushing along at full speed as from the neck of a bottle, these masses of shingle and sand, swept along by wind and tide, are the actual agents, conjointly with the deposits of rivers, of the changes which have filled up the Cinque Ports, and affected all the neighbouring coasts.

The wind and tide produce these effects in the Eastern portion of the British Channel in a manner so uniform, that their action may be described as the result of a natural law. Let it be called 'The Law of Eastward Drift.' It may be thus defined. Two forces, one obtained by means of the flood tide, and the other through the strength and prevalence of south-west winds for three-quarters of the year, united and working together at all favourable times, take up the moveable substances in the bed of the Channel, and scatter them upon projecting obstacles from West to East. Change produces change; and in the course of ages the whole coast is transformed. It is possible that this effect is produced by the mere force of the south-west gales,

acting during the flood tide, but a further reason may be assigned for the regularity of this Eastward Drift.

The tidal wave from the Atlantic, on its way to traverse the North Sea and the Baltic, finds its progress arrested at each of the south-west points of England and Ireland. It divides into three branches, of which we may here neglect the middle one, since, passing up St. George's Channel, it rejoins and is absorbed in the main stream which has been sweeping round the west coast of Ireland. Part of this united wave, after it has travelled round the coast of Scotland and expanded over the North Sea on its way to the South and East, arrives in 20 hours at the Straits of Dover. There it meets the third stream, which has come directly up Channel, and arrived at the Straits in the course of 12 hours. As water must find its own level, these opposing streams, which have hitherto been running undisturbed, are forced, when they meet, to obtain that level with great rapidity. Hence the extraordinary variety of currents, eddies, and times of high water at different places in the same neighbourhood. Every one of these apparent irregularities is of course attributable to some special action of the general law that the same quantity of water has to pass and repass through the Straits twice in every 24 hours. One such anomaly is that, under certain conditions so frequently occurring that it is generally stated as an acknowledged fact, the flood tide makes from South-west to North-east in a shorter time than the ebb which makes in the opposite direction. To do its allotted work the flood must therefore move just so much faster than the ebb as the allotted time for doing it is shorter.

We can then understand how it is that, under ordinary circumstances, wind and tide work out the 'Law of Eastward Drift.' Twice in every 24 hours the south-west winds, if strong enough, find their opportunity. The swift flood has moved and slightly lifted the substances which pave the bed of the sea; the waves, when sufficiently powerful, take them up and carry them along. On the other hand the more languid ebb tide moves these substances less, and the waves which might drive them to the West are less often raised, and very seldom with anything like the same effect, since the south-west winds blow on, and the opposite winds off, the shore. Hence the formation of the shingle beaches and the shoals of sand, the latter of which substances is held longer in suspension and carried further than the former. The accumulation of shingle is directly due to the violent action above described; that of sand to its more indirect effects. Having been stirred up by storms, the sand settles down in places where eddies are produced by the meeting of tides and the slackening of their pace. This is especially marked at the Goodwin Sands, at Sandwich, and on the coasts of Belgium and Holland.

Whence came these vast stores of material? In this place it is enough to say that they are mainly traceable to two sources, the ancient quaternary formations called 'old sea-beaches,' of which our shores have been denuded in past times by the action of winds and waves upon the softer strata; and secondly, in more modern times, to the washing down of gravel from the Sussex valleys to the sea. From the constant attrition of

this gravel great quantities of sand are added to that which covers the bed of the Channel in many places. It is obvious to remark in reference to these coast-changes that they can hardly but vitiate the calculations which have been held to decide the place of Cæsar's landing in the Cinque Port districts. Not only may the depth of the Channel have largely varied, but the space over which the tides travel must be at least two miles wider than it was some 2,000 years ago, and therefore the point of meeting of the North and South tide-streams cannot possibly be exactly the same; yet this is the assumption under which all these calculations have been made.

The operation of the 'Law of Eastward Drift' must be traced first at Hastings and its immediate neighbourhood; secondly at Winchelsea, Rye, Romney, and Lydd, grouped as they are under the system of Romney Marsh,—with which may be taken Hythe, Folkestone, Dover, Walmer, and Deal; and lastly at Sandwich and the towns affected by the river-system of the estuary which once divided the Isle of Thanet from the rest of Kent. Not one of them has escaped. All have been separated from the element to which they owed their existence, and if not deserted by the routes of commerce quite so completely as the 'Dead Cities of the Zuyder Zee,' some of them have fared worse. Even Dover offers no real exception to the operation of the law, for it has only held its own by the aid of a vast expenditure of the national funds.

Hastings, situated just where the narrowing of the Channel produces a violent current, perceptible enough in the hurry-scurry of the tides along the 'Races' of

Alderney and Portland, was the first of the Ports to feel the effect of the Eastward Drift, cutting away the cliffs each year and filling up the havens. The processes can be traced with something like certainty. The ancient harbour once occupied the site of what is now called 'Priory Valley.' The rocks which line the coast well out to sea mark the old shore-line. The old town which once flourished at the harbour mouth was, like the first Winchelsea, submerged from the effect of storms and the want of sea embankments. Accumulating shingle, left uncontrolled, forced its way across the entrance, choking the flow of the Priory Brook; and then the silting-up process, always going on, became unchecked. The circuitous roads running round the old bed of the harbour indicate its gradual change from water to marsh, and from marsh to dry land; while outside of it, running along the coast-line, is found the shingle beach which wrought the change, and now forms the foundation of parades and terraces. The same fate in time overtook the haven formed by the Bourne between the East and West Hills, as well as the havens of Seaford, Pevensey, and the other Sussex ports which once owned Hastings as mistress. No dates, no records of these changes remain, but history comes to the aid of geography, and in the rise of Winchelsea and Rye, closely bound up with the decline of Hastings, we read that these effects had begun to show themselves in the very century of the Norman Conquest. Even modern records fail to tell us of the disappearance of an island, a mile and a half long, which extended along the coast of St. Leonard's, but which appears in Norden's map of the seventeenth century.

Turning to the more complex phenomena of the Romney Marsh system, it must be observed that there was at one time, we cannot doubt, an almost continuous and even line of beach from Fairlight Point, by way of Lydd, to the high land of Shorncliffe, inside which the sea penetrated, and through which rivers made their way, at points afterwards known as Romney and Hythe,—perhaps also at Rye. Within this line of beach was the great tidal estuary which the Romans found on their arrival and called the 'Limen.' This inland sea extended over the whole of what is now designated in a general way as Romney Marsh, but which is, properly speaking, an aggregate of marshes known by different names. Following the line of high land running round from Shorncliffe to the West, it penetrated into the Rother, Tillington, and Brede valleys. Above it rose on the West the Isle of Oxney, the island-rock on which Rye was afterwards built, and the promontory of Iham, crowned in later days by the second Winchelsea. To the eastward of those sites rose the Isle of Romney and the long low shore of Lydd. The estuary was a shallow basin, not unlike that of Arcachon, near Bordeaux, which had once been deep, but the bed of which had been gradually raised during the course of ages by layer upon layer of muddy deposit washed in by the tides from the soft tertiary strata of the neighbourhood. These layers have been found to extend to a depth of fifty or more feet, and thus account for the extraordinary fertility of the marsh lands. All this time the Eastward Drift had been forming, unimpeded by any such promontory as Dungeness is now, the extensive beaches of Dymchurch, Hythe, Dover,

Walmer, Deal and the rest, which had not however, by the time of the Romans, yet received anything like their full contribution of shingle. The passages into this shallow inland sea were kept clear by the vast mass of water rushing in and out at every tide, much as we may now see on a smaller scale at Portsmouth, and by the scouring outflow of many considerable streams, draining the eastern side of Andred Forest. At the Portus Lemanis formed by the chief of these streams, the Limene, the Romans established the military station Lemanæ, and defended it by the *castrum* the ruins of which are known by the name of Stutfall Castle.

It has been thought that, even before the Roman conquest of Britain, the inland sea had been so much filled up that the Britons had themselves made great progress in what was called by the English settlers 'inning' the marsh, or damming out the tides by embankments. At any rate a great change took place during the Roman occupation of the island. The shingle was driven in by south-east winds upon the north-east part of the marsh, closing up the passage between it and the Portus Lemanis, and it thus excluded the tides from the eastern end of the basin, as well as blocked out the river Limene. This river would seem to have been already diverted from its course to some extent by the erection of the famous Rhee Wall, which stretched from Appledore to Romney, comprising a channel and embankments from 80 to 100 feet wide, and it now altogether took its course through this channel. Though a surface of 22,000 acres was thus completely drained and protected from the tides, it was still a de-

pressed basin, at a level several feet below the sea; and such of course it has remained. Hence the incessant vigilance, hence the intricate organization of labour, which, under the 'lords of Romney Marsh,' have ever since been found necessary for its preservation. But the work was also the cause of the formation of a new port. The low island on which Romney afterwards stood now became united to the reclaimed land on its north-eastern side, while the flow of the new stream and the narrowing of the estuary deepened its haven, and made it the fine harbour which, if antiquaries are not mistaken, was named *Novus Portus* by the Romans. At any rate it is so marked—Καινὸς Λιμήν—in the earliest edition of Ptolemy's maps. No remains of the Romans have been found at Romney, but abundant evidence of their having settled in great numbers at Dymchurch, halfway between the Old and New Ports, has of late years been discovered in the form of very extensive potteries. This proves how secure a barrier the beach offered at that time against the sea, and suggests that extensive cultivation of the reclaimed marsh had already taken place before the fifth century.

It was necessary to say as much as this about the early condition of Romney Marsh; for it was into this inheritance that the Teutonic settlers stepped. They had begun to arrive even before the Romans deserted Britain, and took very naturally to havens and marshy districts which resembled their own homes and suited their nautical habits. Romney, Lydd, and Hudanfleot, afterwards called West Hythe (which last port soon superseded Lemanæ, or Lympne), became fishing stations, while the marsh-lands generally were occupied by a

population called from the district the Merscwara, or marsh-men; and as their lands comprised a large proportion of Kent (the Andred Weald not being yet settled) they grew to be an important and almost independent people. The three ports above mentioned became the natural outlets for these marshmen, who were united by a common origin, common pursuits, and a common distinction from the rest of Kent; but they were all alike, portsmen as well as marshmen, in too rude a stage of civilisation to undertake any further 'inning' of marshes. What they found sufficed. It was reserved for the great lords of the district, the archbishops of Canterbury, as heads of the convent of Christ Church, to continue, after an interval of several centuries, the work of the Romans. How came it that the task fell to them, first in the eighth, and afterwards in the twelfth and thirteenth centuries?

The lordship over the Marsh districts exercised by the convent probably began at a much earlier date than we can obtain by records; for it was certainly connected with the great number of monastic institutions planted along the coast of Kent by the royal House after its conversion, one after another of which were passed over to the government of Christ Church. Under the royal system Canterbury was deliberately intended to be the centre of civilization as well as of Christianity for the Kentish people. Thus to the archbishops of Canterbury were granted large estates, such as that of Lyminge; and to the abbey of St. Augustine, just outside that city, was entrusted a considerable extent of land in these parts, but, as it happened, not in connexion with places which became the Head Cinque Ports.

A large part of the Isle of Thanet was especially their charge. Eadbriht's Charter of 741 runs thus:—

I, Eadbriht, King, by surname Eating, for the salvation of my soul grant to the Church of Christ in Canterbury the fishery at the mouth of the River Limene, and the part of the land in which is situated the Vill of St. Martin [afterwards Romney], with the houses of the fishermen and the fourth part of a ploughland around that place, and pasture for 150 beasts near the marsh which is called Bisceopeswic [in Lydd] as far as Rhip Wood and the borders of South Saxony [Sussex].

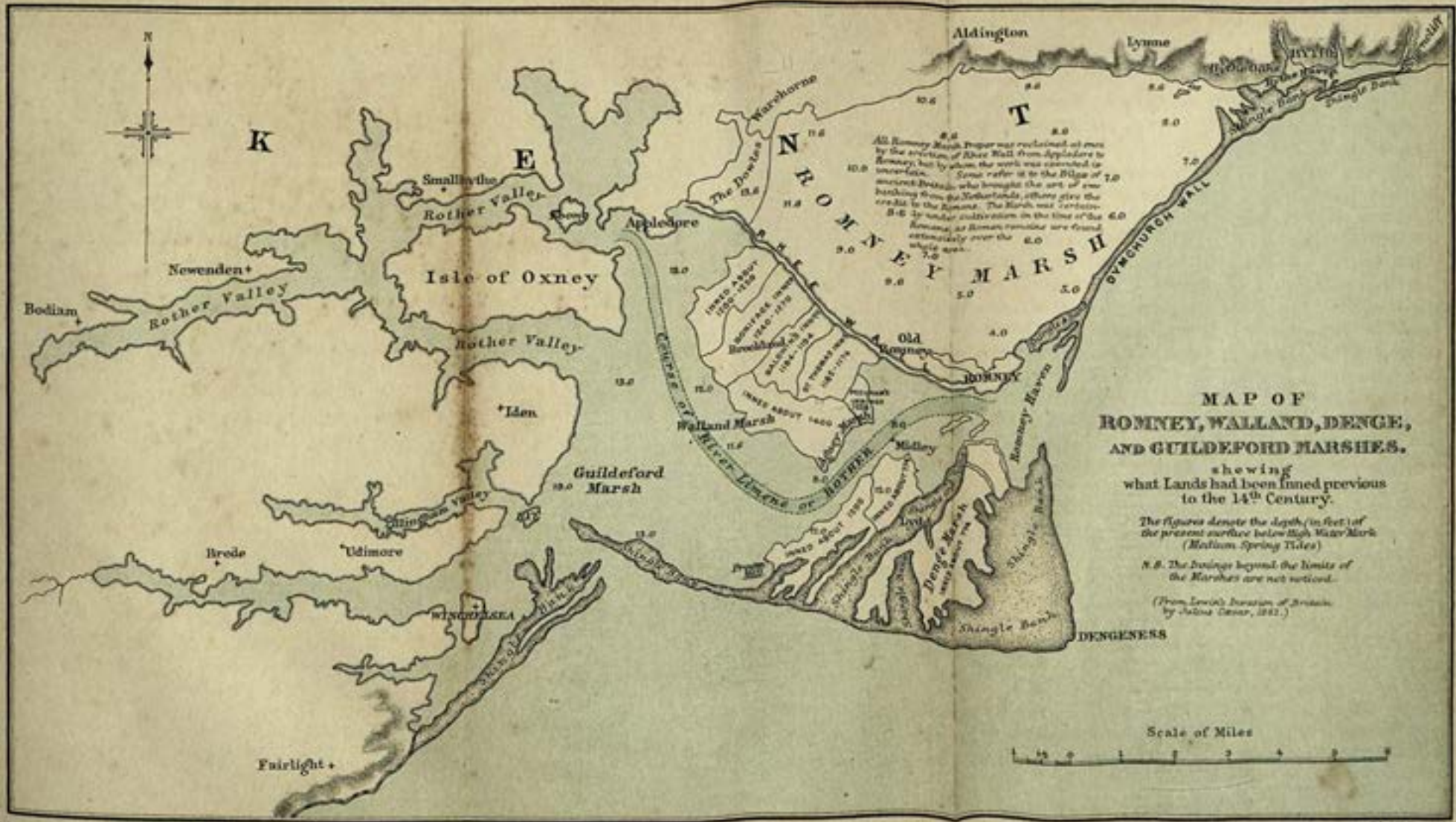
Offa also in 774, having annexed Kent, granted to Jaenberht, Archbishop of Canterbury, three plough-lands or sulings of Merscware land, called Hlidum [Lydd], from Dengemarsh to a certain stone, and, in the same year, part of the marsh-land at the same place to the monks of Christ Church at Canterbury. These charters show that a change had taken place which we can now identify with the growth of Dungeness towards the sea. That projection of the coast had begun to attract the shingle thrown up by the Eastward Drift, and to fill up with fresh 'fulls,' or ridges, from its own superfluous acquisitions, the Lydd marshes. The reclamations had been made or assisted by the only body which could as yet find funds and labour, the archbishop and his monks, and to them were the new lands made over. The 'Bisceopeswic' had already been established. Lydd however was still surrounded by sea on the North and East, and in 893 the piratical Danes made their way past it up to Appledore with a fleet of 250 vessels. The name of the Limene was still, we observe, surviving in the eighth century, but its waters were now mingled

with those of the Rother which practically absorbed it, and the bed of the united streams still admitted the tides at Romney Haven sufficiently to float the galleys of the vikings far inland. Under the lordship of Christ Church, or rather of the archbishop, its abbot, came an accession of inhabitants to the newly reclaimed districts, of which Romney, partly included in the archbishop's estate of Lyminge, became the chief, and Lydd the secondary, centre. It was, however, some centuries before the name given by the monks to the town which grew up round the Oratory of St. Martin was completely lost in the old British name which had clung to the spot from the first. Rumenal, Romenel, and Romney are, in fact, different varieties of termination to the root-word Ruim or Rum, a marsh.

"The further 'inning' of marshes was due to Archbishop Thomas. 'St. Thomas' Innings,' adjoining the middle part of Rhee Wall, led the way, and was followed by those of Archbishops Baldwin, Boniface, and Peckham, and by some smaller works: but this process could not have been effective except under the operation of a law affecting inland tidal districts, which is practically almost as definite as that of the 'Eastward Drift,' and of much wider application. Just in proportion as tidal marshes are reclaimed and the area covered by the tide thus diminished, so more and more marsh offers itself for reclamation, and the port by which the tides enter becomes, for want of the former large volume of the scouring element, more and more choked up. The Roman works led to the 'innings' of the archbishops, and those to the destruction of Romney Harbour. It may be noticed here that when Archbishop Thomas

found himself obliged to fly the kingdom he naturally turned to the place with which he had been so much concerned, and embarked from Romney. Twice baffled, he gave up the attempt; and on his second flight crossed the sea from Sandwich.

The immediate result of this progressive inning was to drive the Rother to take a sweep round the new land and enter Romney Port by a circuitous channel as shown (approximately) in the accompanying map. Such was the condition under which the central Cinque Port was working at the time when its prosperity was most marked and as yet unshaken. No further progress was made in reclaiming marshes till the occurrence of that great convulsion of the elements which was remarked by all the chroniclers in 1287. This tremendous incursion of the sea submerged Winchelsea (Gwent-chesel-ey, the shingle isle on the level) and Bromehill, broke up the sandbanks on which they stood, and bringing the full force of the waves to bear upon the interior of the estuary, hurled great masses of débris upon the artificial course of the Rother, thus changing it to the more natural one which it still follows on its passage to the sea by Rye, and damming out the tides from a large portion of the already shrunken lagoon. With the loss of the river, Romney began to lose its fine harbour; but it was the process of inning the marshes west of Rhee Wall which gradually reduced the volume of the tides so much that their scouring power was no longer available to keep the mouth of the harbour open. Capital and labour not being any longer in the peculiar power of the archbishops, Walland (Wall's end) and Guildford Marshes were gradually taken in hand by



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other landowners; but the process was not absolutely complete till 1661. Thus Romney Haven became dry land. Rye on the other hand gained a fuller supply of river-flow by the change; Lydd, saved by Dungeness as by a breakwater, was rather better off for a time than it had previously been; and Winchelsea was re-planted on a better site. The history we are about to trace was entirely governed by these physical changes.

The subsequent history of Rye itself remarkably illustrates that of Romney Marsh, for the inning of its surrounding marshes in the eighteenth century has equally destroyed the tidal backwater which used to keep its channel open to the sea. The same thing had happened long before at the second Winchelsea, where Edward I. placed the homeless fugitives from the submerged town in 1287. The neighbouring marshes were drained and embanked by Commission after Commission appointed by the Crown in order to put an end to periodical inundations. In that attempt they were successful; but the town was soon left high and dry, and so it remains. In short, however praiseworthy the effort to prepare tidal marsh-lands for cultivation, the process has hitherto invariably been connected with the destruction of the port through which the tide has had access, and the impoverishment of the towns which depended on those harbours. To decide which of the two evils is the least involves the national question of the usefulness of particular ports, a question just as pressing now as it ever was. In the case of the Cinque Ports no such question was in those early times understood to require solution. The marshes disap-

peared first; people were astonished to find that the harbours followed; but, though bitterly distressed, they were scarcely surprised to discover that the towns shrivelled up, and they learnt in time to resign themselves to their fate.

The annual march out to sea of Dungeness, which has been calculated at from 7 to 20 feet, assisted the process of harbour destruction on either side of it. This has probably not been an equable growth, nor can we say when it began; but we can trace its effects. There is no doubt that it helped to divert the tides from entering Romney harbour by passing the current across the bay of Dymchurch; and by checking the Eastward Drift it caused an accumulation of shingle at Rye which counterbalanced the advantage gained by the diversion of the Rother. Further, the increasing projection of the point has interfered in the course of time, as already said, with the travel of shingle along the coast to the North-east, and so much denuded Dymchurch beach that in order to protect Romney Marsh the old wall has had to be rebuilt and greatly enlarged. It is now three miles long, 300 feet broad at the base, 20 at the top, and 20 feet high. Something like a return to the condition of things which obtained 2,000 years ago would be the result of a serious breach in this wall. The evil genius of Dungeness has, however, a brighter aspect. The beach being composed of heaped-up shingle which is capable of forming itself into a steep wall against the force of the sea, deep water is found close by; and it thus affords the shelter of a good roadstead on its two faces, north-east and south-west, for hundreds of vessels which may be seen lying securely at anchor when either wind

prevails. If it has helped to destroy harbours, it has provided a substitute.

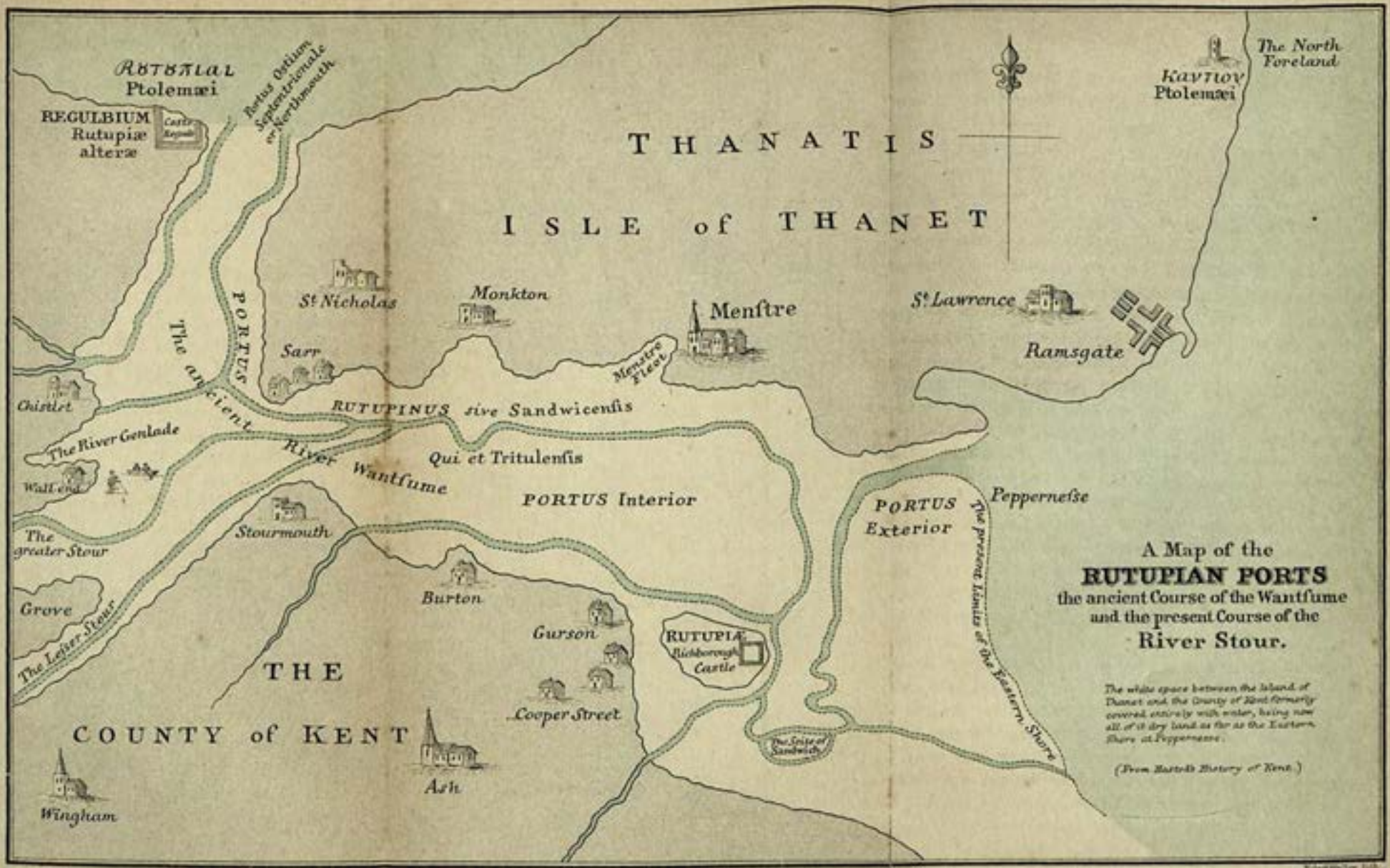
The case of Hythe is more simple than that of the Romney Marsh towns. The harbour, like that of Hastings, has yielded foot by foot to the Eastward Drift of shingle, till what had been water turned to marsh, and then became dry land; while the enemy now, as at Hastings and elsewhere, presents itself in the guise of a benefactor, inviting modern visitors to the sea-side. The long-continued struggle at Dover, to prevent that harbour from sharing the fate of its neighbours, tells the same tale of resistless tides and winds, driving along the materials which grind away the cliffs and choke the outflow of a stream never large enough to offer much resistance to the obstacle. So also with Walmer, Deal, and the rest; all alike losing in recent times some portions of the beaches which accumulated before the growth of Dungeness, and demanding 'groynes' or barriers running out into the sea in order to prevent absolute denudation. But when we arrive at Sandwich we find ourselves confronted by different and more complicated phenomena, which can only be stated here, and left for elucidation by historical facts as we proceed.

For the protection of the southern portion of the passage to London by the Thames the Romans relied upon the fortresses at either end of the Rutupian Channel (famous even in those days for its oysters), Regulbium and Rutupiæ, afterwards Reculver and Richborough. This channel, called by the English the Wantsum, though it had begun to shrink before the Romans left Britain, afforded for many centuries so fine a passage to London as to be in constant use for ships making their way to

the Thames from the southward. Several rivers flowing from the Kentish high-lands and meandering towards Dover Straits by the eastern port, towards the Thames by the northern, maintained Thanet in the character of an island, even when no longer separated by a considerable arm of the sea from Kent. The Stour, though a broad and shallow river, was navigable, and it was at Ebbsfleet, a creek of the estuary used as the landing-place for Thanet, that the Jute invaders, and later on, St. Augustine, first touched our shores.

Such a condition of land and water would certainly have lasted longer than it did if the improving hand of civilization had not here again reclaimed the marshes or 'salts,' as they were called, just as at Romney, Rye, and Winchelsea. An archbishop, Cardinal Morton, again set the example; but it must be admitted that in the nature of things the channel could not have been permanently kept open. Meeting the flood tide twice a day, the rivers would certainly at some time or other have been checked in their flow, and forming innumerable eddies, could not but have deposited alluvial soil in the channel, thereby diminishing the volume of tidal water required to keep it clear. The inning of the 'salts' powerfully aided the process, and the tides were gradually excluded; while at the same time the rivers were also reduced in volume by the clearance of Andred Forest, and were easily bridged. Thus Thanet ceased to be insular, and the towns which had flourished on the Wantsum shrank away with its waning waters.

The effect on Stonor and Sandwich was only too palpable. Those places, when Richborough was deserted by the tides, became the natural ports of the fine bay


Ῥοτβιαι
Ptolemæi
REGULBIUM
Rutupiæ
alteræ
Castle Regulbium
Portus Ostium Septentrionale or Northmouth
THANATIS
ISLE of THANET
Καυτιον
Ptolemæi
The North Foreland
St Nicholas
Monkton
Menstre
St Lawrence
Ramsgate
Sarr
Menstre Fleet
PORTUS
The ancient River Wantsume
Chislet
RUTUPINUS sive Sandwicensis
Qui et Tritulensis
The River Genlade
Wall End
PORTUS Interior
PORTUS Exterior
Peppernesse
The present Limits of the Eastern Shore
Stourmouth
The greater Stour
Grove
The Lesser Stour
Burton
Gurson
RUTUPIA
Richborough Castle
THE
COUNTY of KENT
Cooper Street
The Seize of Sandwich
Ash
Wingham
A Map of the
RUTUPIAN PORTS
the ancient Course of the Wantsume
and the present Course of the
River Stour.
The white space between the Island of Thanet and the County of Kent formerly covered entirely with water, being now all of it dry land as far as the Eastern Shore at Peppernesse.
(From Bartlett's History of Kent.)
London: Longmans & Co.

at the head of which they stood. The instinct which preferred the closer neighbourhood of the open sea was justified by the prosperity of centuries, but the course of nature could not be arrested. The fatal influx of choking sand may be said to have waited upon the growth of London. As long as its two Kentish outposts were of real importance for that growth, the sea was their obedient vassal, but when the great city had risen beyond the need of such help, by the time that Sandwich had proved its superiority over its rival, and become the chief rendezvous for royal fleets, the Eastward Drift began to produce its ruinous effects. Co-operating with the causes which were acting on the Wantsum, the sand, which was held in suspension by the tides long after they had deposited their burden of shingle, washed more and more into the bay, till in its progress to the East the mouth of the Stour, which had been at Sandwich, was driven mile by mile in the same direction as the sand. The river, helplessly yielding to compulsion, having long ago reached the limit of endurance, debouches, after a course of nine miles, under the cliffs of Thanet by Pegwell Bay, and the famous Bay of Sandwich has long become one expanse of sand, which cuts off from the sea by some two miles or more of dreary waste, one of the most interesting towns in England. Yet the place had time to make a figure—no small one—in English history.

The dates of these changes, or rather the centuries which measure them, will come out as we proceed. Everything will now fall into its place.

CHAPTER III.

THE EARLY HISTORY OF THE CINQUE PORTS.

The Roman Stations—Teutonic origin of the Ports—Characteristics of each—The Danish element—Edward the Confessor and his Charter—Population.

MOST writers upon this subject, amongst whom Camden is perhaps the most important, have been at pains to connect the Cinque Ports by some sort of direct descent with the five Roman Stations and fortresses which, under the *Comes Littoris Saxonici*, guarded the south-eastern shores of Britain. These were Regulbium, Rutupiæ, Dubris, Lemanæ (supported by Stutfall Castle), and Anderida. Some have gone so far as to identify the Lord Warden of the Cinque Ports with this *Comes*, or *Limenarcha* himself, as if the tenure of the offices had been almost continuous, or separated by only a short interval. But while nothing can be more certain than that the Confederation of the Cinque Ports was of Teutonic origin, it must be confessed that there was in an uncritical age more temptation to adopt the Roman theory in this case than in any other. Two considerations stand in the way—the feebleness and unimportance of the Romano-British remnant left after the Teutonic conquest, and the abundant evidence supplied in recent times of the Teutonic parentage of early English muni-

cipal institutions; but an historical error which was for ages implicitly believed requires a word or two.

The *Comes Littoris Saxonici*, who shared the administration of Britain with the *Comes Britanniæ* and the *Dux Britanniæ*, occupied so much smaller a territorial position than his colleagues, that the balance was evidently struck by his great nautical responsibilities. He filled in fact the place of an admiral of Britain, guarding with squadrons of ships the Narrow Seas and adjacent coasts, at first to prevent the Saxons and kindred tribes from invading the land, and in later times to regulate the barbaric settlements which had taken place in spite of his efforts. Besides the above five, three other stations and fortresses facing the German Ocean, of which Brancaster and Garianonum, with Caister, guarded the inlets of the Wash and the Yare, and Othona those of Essex, completed the limits of the charge of the great Count on the North. These eight, flanked on the extreme West by Portus Adurni, at the mouth of the Adur on the Sussex shore, were garrisoned by special bodies of troops, who were not changed about with others, doubtless in order that they might acquire and transmit the experience necessary for sea-soldiers. Rutupiæ, or, as some think, Dubris, was the central station. Such, in a few words, was the Roman organization, the result of some centuries of experience.

All this passed away, but not as if it had never been. The Teutonic tribes had been long and intimately acquainted with the coast before the Legions were withdrawn, and could not but entertain a feeling of awe and admiration for the remains of civilization which they saw around them. They could not hope to

imitate the mighty fortresses which reminded them of a governing race, the vast drainage works of Romney Marsh, the noble roads, lighthouses and bridges, the adaptation of fine harbours to nautical wants; but they adopted what they found. Traditions remained; fresh generations of settlers discovered that they had to defend from fresh invaders what they had gained; the idea of succession to Roman power could not but suggest itself to them as it did to the kings of the new nations; their fleets soon came to do nearly the same duty as those of the Roman Count. So much we may concede. We might go back a step further. The Romans themselves established the civilization of Kent upon an eminence already existing; for Cæsar found its inhabitants the most civilized of all the Britons. It was natural that they should take the lead at each fresh advance.

We shall understand the Teutonic origin of the Ports as we watch their separate development.

HASTINGS has been pressed into the Roman theory less than the other Ports, since it certainly was not Anderida, and Pevensey, almost as certainly, was; but its harbour and its fine position for defence gave it the preference in the eyes of the invaders, and made it the mediæval representative of the Roman stronghold, while the settlement formed by a portion of their body at Anderida itself, under a new name, the origin of which is unknown, became one of its subordinates. That there had indeed been a Roman camp on the 'East Hill' of Hastings is for many reasons extremely probable. The name of the Saxon settlement first comes before us in the Chronicle of Simeon of Durham under

the year 771. It is to be identified with the clan of the Hæstingan or Hastings, who, after selecting the port which took their name, colonized the interior. They formed a leading portion of the South-Saxon migration, leaving behind them on the Continent people of the same name. The settlers retained a collective appellation in the time of Offa, King of the Mercians, for he subdued the 'gens Hestingorum,' and his charter confirmed the gift of the havens of Pevensey and Hastings which his own officer had made to the French abbey of St. Denis, a mark of the close relations fostered by Alcuin between him and Charles the Great. The circumstances of this central position with regard to the clan on both sides of the Channel, and the connexion with the abbey, may have helped to develop the importance of Hastings, which is evidenced as early as the reign of King Athelstan, by his establishment of a Mint at the place. The names of the chief officers of this Mint are preserved in a series of Hastings coins. Further, there was not only a 'Rape of Hastings,' taking its name from the town, but the Rape was itself a distinct shire in ancient times.

We have however very little to guide us as to this period of growth except what we may infer from the state of Hastings as a Cinque Port in the eleventh century. Besides the general impulse given by the Danish dynasty, its prosperity seems to have been fostered by Earl Godwin, Harold, and Edward the Confessor, in whose time it is distinctly taking rank as a leading port for fighting ships and seamen, along with Sandwich, Dover, and Romney, being quite as important a place as any of them. It is not how-

ever, like those Ports, noticed in Domesday Book as specially privileged on condition of military sea-service due to the Crown, or indeed scarcely at all;, and this has been taken to indicate that it did not achieve equality with them till after the Conquest. But neither is Hythe mentioned. From Domesday Book it would not be gathered that there were more than three such Ports, viz. Sandwich, Dover, and Romney. On the other hand, the charters are addressed to the 'Barons of the Cinque Ports,' with distinct reference to the peculiar position of all five as derived from Edward the Confessor and his Norman successors. That Hastings was not behind its fellows may reasonably be inferred from the number of ships which we find it had been bound to supply previous to the reign of Henry II., and which it was already beginning to feel too great a burden; but its acknowledged claim to be the Premier Port of the Confederation is a circumstance of the greatest significance in our inquiry, and indeed quite inconsistent with the theory that it only began at some time after the Conquest to take rank with the rest. Its precedence cannot be impugned; it appears by its taking the first place in the charters and royal writs, and by the fact that its representatives took the first place at the Cinque Port assemblies and on the occasion of Coronations. What was there in its early history which led to this precedence?

The few facts at our disposal all point one way, to the remarkable connexion which existed, before the Conquest, at the Conquest, and after the Conquest, between Hastings and the Norman shores. Some light has been thrown upon that point by the identification,

lately established beyond any reasonable doubt, between the town in the Bourne Valley and the 'New Burgh' of Domesday Book.

The community of the Bourne Valley which in the end absorbed and succeeded the ancient Hastings was the foster-child, if we may use the term, of the half-Norman Edward the Confessor and the Norman Kings who succeeded Harold. The Confessor had evidently intended to make the little group of Sussex towns, the 'New Burgh,' Winchelsea, and Rye, a strong link of communication between England and Normandy; but Godwin and Harold had contrived to prevent the two latter from becoming the property of the abbey of Fécamp, to which Edward granted them in the early part of his reign; and this formed one of the Norman grievances. William promised to restore them to the abbey, and when he had conquered England he kept his word. Edward succeeded better with the town in the Bourne Valley, lying between the East and West Hills of Hastings. This was included in the manor of Rameslie, or Brede, a wide range of land extending even to the eminence on which the second Winchelsea was built, and it appears to have been granted by Edward himself to the abbey; at any rate it was under the abbot's lordship in his time. That was not an unprecedented thing. The lordship of St. Denis over the Saxon Hastings had ceased,—probably when the Northmen took possession of the Seine Valley, and blocked out the French; that of Fécamp was the renewal of the old idea on an adjoining territory. Of the grant of Winchelsea and Rye to the same abbey as part of the lands of Steyning we have distinct evidence in the

charter of resumption issued by Henry III. in 1247. We can only suppose that the Confessor found himself too weak to insist on the fulfilment of his grant in face of the plea of his all-powerful subjects that they could not suffer so vulnerable a part of the coast to pass into Norman hands. They appear however to have appropriated the lands to their own use.

The 'New Burgh' of Domesday Book (formerly supposed to be Winchelsea) is there described as inhabited by 64 burgesses under the lordship of the Abbot of Fécamp, to whom also belonged 4 burgesses and 14 *bordarii* in Hastings itself. To the abbots, encouraged by the Confessor and the Conqueror, were due the rapid growth of this new town in the eleventh century, the building of its churches, and the prosperity which enabled it to become the centre of a population attracted thither from the old town, from the surrounding neighbourhood, and from Normandy itself. At the time of the Survey in 1086 the old town receives no notice whatever, except as containing a few of the vassals of the Norman abbot; yet it was this same place which had previously been so considerable, and which certainly enjoyed a temporary revival before it became absorbed in the New Burgh. A severe blow was given by the Conqueror himself, if the conflagration conspicuously marked in the Bayeux Tapestry—'Here a house is burnt,' represents, as some suppose, the town which receives such scant attention in Domesday Book.

The pre-Conquest notices we have of Hastings seamen are both connected with the family of Earl Godwin; but the first, in 1049, is rather honourable to their fame as vigorous executioners of justice on the

part of the nation, than as mere followers of the great Earl. Sweyn, his eldest son, had just murdered his cousin Beorn, and was in command of a piratical squadron which the Hastings men pursued, and from which they succeeded in taking two ships. These, after destroying their crews, they carried to the King. In the second notice they are specially mentioned as forming part of Godwin's force in 1052. In following their late captain against Edward, the Ports acted as they did on more than one subsequent occasion, and on this, as on almost all others, in the same manner as the Londoners. After the Battle of Hastings, whatever had happened previously, nothing remained but submission. There is no trace of anti-Norman policy or feeling in the subsequent history of the place, which recovered its old position, and even strengthened it in conjunction with its suburb, the abbot's town in the Bourne Valley, both alike dominated and Normanized by the Castle and its garrison.

With the Conquest of England came the full development of what we can have no hesitation in calling the Confessor's idea, and which there was now no Godwin nor Harold to withstand. What was a mere dream while England was English became a natural policy when it was governed by Normans. The broad lands of the Steyning grant were now at once made over to the abbot of Fécamp, who expended no little of the wealth which he derived from it in building a palace and a church at Steyning, the grandeur of which may be understood from the existing remains of the latter. Under his lordship Winchelsea and Rye rose from the condition of fishing villages. William instantly set

to work to build the fine castle which still in ruined majesty crowns the brow of the West Hill. This was to be the hereditary fief of the Counts d'Eu in Normandy, whose castles would be in easy communication across the Channel. To them and to the abbots of Fécamp was committed the responsibility of keeping open a direct intercourse between the kingdom and the duchy, while the chief military strength of the country was concentrated at Dover over against the coast of the Flemings and the French King. Success fully justified a brilliant organization which had no doubt been long previously conceived. The Norman Port, supported by Winchelsea and Rye, could hardly but take precedence over its English confederates: but it is evident that they all held quite a subordinate position in William's mind to the two castles.

There are far more pre-Norman notices of SANDWICH (the 'settlement on the sand') than of all the other Ports put together; but the circumstances of its early settlement have to be gathered, like those of the rest, from inference. It has been already stated that in consequence of physical changes affecting the Wantsum it came to take the place of the Roman Rutupiæ; but not before the new settlers had attempted to establish themselves in the old Roman city. The Teutonized town, after the expulsion of the Romano-Britons, had already come to be called Richborough, when the recession of the sea destroyed its usefulness to a population of seafaring men. They had been perhaps encouraged to make a trial of the old site by the first kings of Kent, who are said to have had a palace there. Thus driven to form entirely new settlements

at the head of the bay, Sandwich and Stonor were wholly English. No Roman remains have been found at either. Though the anchorage had the defect of being exposed to easterly winds, these were comparatively harmless. The great shoals which afterwards accumulated into the shifting mass known by the name of Earl Godwin already served as a breakwater, and the upper reaches of the river itself afforded safe anchorage for a considerable number of vessels. The mighty walls of the city which they thus deserted still form one of the most interesting remains of pre-Teutonic England, perhaps only rivalled by Pevensey.

Stonor and Sandwich were, as has been said, the two ports of London; for the Wantsum was London's main outlet to the sea. The convenience both to the rising capital and to these two towns of using them as depôts on the coast where outward-bound vessels could take up their last passengers and provisions before venturing out into the deep, and where, on approaching the shores of England, cargo or passengers might, if necessary, be landed, would then present itself in a manner wholly different from what we can now easily conceive. The undoubtedly intimate connexion between these places has been traced in the name 'Lundenwic,' supposed by some to be only another name for London itself, since Mellitus was made Bishop of 'Lundenwic,' but by others identified with either Stonor or Sandwich. Great stress has been laid by the latter writers on the Charter of King Eadberht in 761, which can hardly but be authentic, though for Eadberht's name should be substituted that of his brother, Ethelred II. This document does certainly seem to apply the name to some Kentish port, as

also does the Life of Boniface, written by his contemporary Willibald. Another notice in the Laws of Hlothære is allowed by their learned editor to be dubious. The balance therefore inclines towards the Kentish ports; and since Eddius Stephanus mentions the landing of St. Wilfrith in 664, not at 'Lundenwic,' but at 'Sandwich,' the preference must be given to Stonor. This is confirmed by the fact that London claimed rights at Stonor which it never did at Sandwich, rights recognized and adjusted by charters from William Rufus, Henry I., and Stephen. The disappearance of the name, which indeed we cannot think of assigning with certainty, may be accounted for by Willibald's remark that 'Lundenwic' was the ancient English name; as if it had already passed away when he wrote.

By the time we arrive at the eleventh century we are able to contrast the fortunes of the two towns. Sandwich had become a great place, a thriving Cinque Port; Stonor was in a declining condition, and had nothing to do with the Confederation. Sandwich had been assigned to the lordship of the same monks of Christ Church who promoted the development of Romney, Hythe and Lydd; Stonor had been granted by Cnut to the monks of St. Augustine's. We do not know the date of the first grant of Sandwich to Christ Church, but in 966 King Edgar *restored* to Archbishop Dunstan and the monks of that monastery all their rights which they possessed at Sandwich, as well as all those which at some previous time had been taken from them. We trace Dunstan's hand in this, and again in the confirmation, or re-grant, made by Ethelred the Unready in 979, in which he

gives Sandwich and Estree (a neighbouring hamlet) to the same monks. These grants and restorations, stretching back to an indefinite date, indicate what we might well expect, that Sandwich and Stonor had been included in the early conversion of Kent by Augustine and his missionaries, while Sandwich had formed a special connexion with the monks of Christ Church, derived perhaps from their special share in the conversion of its inhabitants.

In both Danish invasions the struggle for the defence of England raged around these two towns, and could not but have affected them. How much they suffered from the Northmen, whose fleets, though signally defeated in 851, established the invaders in their close neighbourhood, on the islands of Thanet and Sheppey, we shall never know; but when Canterbury and London were sacked, we may be sure they did not escape. They and Canterbury, and the adjoining lands of which they formed the first line of defence, offered the most alluring attraction to the fierce pirates of the North. Judging however by subsequent events, we may gather that these busy port-towns, and especially Sandwich, which now comes decidedly to the front, possessed powers of recovery which enabled them to lift up their heads as soon as ever the storm had passed over. The monks of Christ Church would lend their aid in the process.

In the second invasion, which ended in Cnut's conquest, Sandwich was again the centre of the conflict. As such it was, both in 993 and 1006, the headquarters of the Danish fleet, which 'ravaged, burned, and destroyed wherever they went,' while in 1009 it sheltered that of Ethelred, 'the finest ever yet seen in England.

After this, however, the great Danish fleet assembled there each alternate year with fatal regularity, and evidently converted the place into a more or less Danish port, the pivot on which the invaders rested their now systematic operations. Sweyn and Cnut landed there in 1013. In 1014 it had the unenviable distinction of being the spot selected by Cnut for putting ashore the English hostages whom he had, in revenge for Ethelred's conduct, savagely mutilated. It is now that it acquires the title, given in the *Encomium Emmæ*, of 'the most famous of all the English ports.' Cnut, when he became King of England, 'finished the building of the town,' whatever that may mean—probably its restoration and embellishment after the long period of war it had passed through—and solemnly placing his crown upon the high altar of the Cathedral at Canterbury, surrounded by the monks, gave them by a fresh charter all the profits of the port, its customs, and its ferry.

The ties thus over and over again formed with Christ Church, and further confirmed by the Confessor, were not finally dissolved until the dissolution of the convent.

Meanwhile, as if to secure fair play between the rival bodies, planted side by side at Canterbury, Cnut granted Stonor to the monks of St. Augustine's. This may or may not have been the first connexion between Stonor and that monastery. Its prosperous offshoot at Menstre or Minster, close by on the Isle of Thanet, formed a natural link between the parent house and Stonor which lay upon the northern bank of the Stour; while Sandwich, on the other side, commanded the more

direct route to Canterbury. But it is impossible to imagine a more unwise arrangement. Two contending bodies of monks, situated within a few yards of one another, were now to fight out their quarrels in two rival towns also within a few yards of one another. Two instances may be given. Harold, son of Cnut, in 1040, is dying at Oxford: two monks from Christ Church make their way to his bedside, and accuse him of having permitted the monks of St. Augustine's to deprive them of the 'third penny' which was their due. This was the share of the lord in the King's customs at Sandwich. The King solemnly declares his innocence, and denounces the usurpation. In 1127 the abbot of St. Augustine's comes before us as having taken a far more decided step. He had actually claimed the local jurisdiction and all the dues granted to Christ Church in Cnut's Charter. But the owners recover their rights on a trial by jury before the Sheriff of Kent. St. Augustine's seems to have been wrong in both cases, and at any rate was unable to save its town from extinction. In the twelfth century Stonor was fain to become a humble Member of the Cinque Port; in the fourteenth, after a prolonged decline, its misfortunes reduced it to the rank of a petty hamlet. Christ Church was more than avenged.

All through the reign of the Confessor, the leading position of Sandwich as a seaport was as distinctly marked as it was when the Danes made it their central station. Here Edward collected great naval armaments against the Norwegian fleet, and here, when his ships were paid off, again and for the last time appeared a flying squadron of savage Danish pirates, and did their

ghastly work. This was however an exceptional and transitory disaster. The town evidently received ample compensation for the damages done during the conquest of England by the Danes, and became the most useful national port in England for fighting purposes. It is here, we may fairly suppose, that Edward revolved the scheme which issued in the confederation of the Cinque Ports under the Crown, and, it may be, confirmed with that view the lordship of Christ Church, as mentioned in the following extract from Domesday Book. The Survey does not mention the grants made previous to that of the Confessor, since it does not go behind this reign.

Sandwich lies in its own Hundred. This Burgh the Archbishop holds [it is called elsewhere in the Survey 'the demesne of the monks'], and it is for the clothing of the monks, and renders to the King the like service as Dover [20 ships for 15 days, when required, with 20 men in each]. And the men of the Burgh testify that before King Edward gave it to Holy Trinity [another name for Christ Church] it rendered to the King 15 pounds. At the time of the death of King Edward it was not at farm. When the Archbishop received it, it rendered 14 pounds of farm and 40,000 herrings for the sustenance of the monks. In the year in which this Survey was taken Sandwich rendered 50 pounds of farm, and herrings as before. In the time of King Edward there were 307 residentiary messuages [or separate and complete houses, *mansuræ hospitatæ*] there: now there are 76 more, that is in all 383.

The notice of the contributions made by Sandwich to the King and to the monks shows that the town and port had from the first paid farm (*firma* or rent) to the King as the lord. Besides this a large stated

sum was annually paid for the clothing or sustenance of the monks, the under lords, which was probably always paid in herrings. No wonder the people marked their time by the 'herring seasons.' But when Edward granted the lordship to the monks, or rather confirmed the gift of his predecessors, he remitted the farm due to himself; nor was it again levied till after his death. This was like the Confessor; but which of his two successors again required the royal farm from the men of Sandwich?

It may prevent confusion if we notice the part taken by the archbishops and the monks respectively when the division of the Christ Church estates took place. Though Lanfranc is specially mentioned in 1086 as having 'received' the town and still 'holding' it, Sandwich did not, like Hythe and Romney, fall under the lordship of the archbishops. Odo's seizure of the town and port, with their lucrative customs, during Stigand's disgrace, had rendered Lanfranc's personal intervention necessary; but when the Conqueror's half-brother, in his capacity of Earl of Kent, was forced to deliver up his prey, he announced that he had restored it, not to the archbishop, but to Christ Church. The terms of William Rufus's general grant of the archiepiscopal estates to Anselm, in 1093, confirm the fact. Perhaps Lanfranc had retained it for life as the best means of securing it till the country was settled. It certainly remained in all the reigns after that of the Conqueror with the monks—probably because they had for so long a time received their 'sustenance' from it according to grant; and it is with the prior, not with the archbishop, that the authorities of the town always corre-

spond. The monks, not being lords of the manor, exercised no lordship, but received the customs and dues of the place as well as the profits of their wharf, crane, and warehouses, collectively called 'Monken Key,' down to the time of Edward I., who reorganized these as well as the more general affairs of the Ports. When contending with Sandwich for their rights in 1321, the prior and convent deduced them from the gift of kings '200 years *and more* before the death of St. Thomas;' how much more we should be glad to know with certainty.

DOVER exhibits far stronger marks of its Roman origin than any of the other Ports; but we have no reason to believe in the derivation of its institutions from Roman times. Unlike its brethren, its situation was marked out for it by the cliffs and the shore with such strict limitations that the Teutonic settlers were under no temptation to change. Their Burgh, if it did not occupy the exact site of the ancient town, must have been close to it; and the Romano-British fortress which they found on the cliff served its original purpose till Godwin and Harold, who, as some think, were preceded by Alfred in the work, gave it the shape which it offered to the eye of the Conqueror. There was no time when Dover was not an important strategical station. Britons, as well as Romans and English, seized on its heights as the natural defence of a harbour which was never large nor deep, never to be compared with those of the other Ports, unless perhaps with that of Hastings, but which nevertheless, as the place of passage nearest to the Continent and most exposed to hostile attack, must be protected at all hazards. The

fortress must be the bulwark of Kent, and as such of the whole island; the port must be kept in each succeeding age as clear of obstructions as the resources of the times could effect. The seamen must be pilots for the passage across as well as fishermen, and able to defend passengers. It was a national concern, and it has always been so.

The ambiguous traditions of British times are all consonant with the above political maxim, but it is only necessary here to point to the imprint still left upon the spot by the foot of Rome. On Dover heights, visible to all, still stands the lofty basement of the famous *pharos* which guided the ships of the world-conquerors along the dangerous coast; while on the sister-cliff a fragment of its corresponding *pharos*, called in modern times the 'Bredenstone,' has only recently been swept away by the erection of new fortifications. Starting from the town may still be seen in parts the great Roman road which the English called Watling-street, making its way, defiant of obstacles, through Canterbury and London to the North-west; and along it passed in ceaseless procession the traffic and the troops of the Empire to the remotest parts of Britain. There in the midst of the town was the great Roman bath, of which the relics have only disappeared within the last century. There is the little river called by the Britons 'Dwr,' or 'the water,' which gave its name to the Roman Dubris, the English Dover; and we observe it still forming, though at a different exit, the harbour which it has taxed the incessant labour of sixty generations to keep open.

All this however must speak for itself. Beyond the

foundations of Kings Eadbald and Wihtred, and Bishop Ealdhelm's casual use of the port, all in the seventh century, we have nothing to bridge the succeeding three or four which are of such vital importance to municipal history. We are in want even of the scattered links which connect Hastings and Sandwich with their first settlement, and can only form conjectures as to the way in which Dover became what we find it in Domesday Book, a flourishing English town and seaport, with institutions already venerable, taking rank amongst the principal towns of England. As if, however, by way of compensation, the notice of Dover in Domesday Book has a peculiar significance from its distinguished place in the very opening of the Great Survey, and is much more copious and suggestive than that of any other Cinque Port. One feature at least its early stages of civilisation had in common with the rest, its close relation to the ecclesiastical institutions which sprang up so abundantly under the zealous patronage of the Kings of Kent. It was not long after the new Dover had commenced its career that the repentant Eadbald placed his rich foundation of canons in the Castle precincts, where he built the famous church of St. Mary's, so long desecrated and recently so well restored; nor was it long after the foundation that Wihtred transferred it to St. Martin's in the town. In the century which succeeded the first Danish invasion, probably through the agency of Dunstan, came at Dover, as at Lyminge, Folkestone, and elsewhere, the centralization of monastic endowments in the hands of the monks of Christ Church. They did not indeed acquire the lordship of the town, though they were established in a position only a little

less important. But Dover enjoyed an overpowering advantage over the rest of the Ports in the patronage of Earl Godwin. The site of 'Godwin's Tower' is still pointed out at the Castle, and at the port he received the third penny of the rent due to the King. When the Confessor required him to punish the men of Dover for defending themselves against the haughty aggression of Edward's kinsman, Eustace, Count of Boulogne, he touched his powerful subject on the tenderest point. 'The Earl would not consent to the inroad because he was loth to injure his people.'

The notice in Domesday Book is as follows:—

Dover, in the time of King Edward, rendered 18 pounds, of which moneys King Edward had two parts, and Earl Godwin the third. . . The burgesses gave the King 20 ships once a year for 15 days, and in each ship were 20 men. This they did in return for his having endowed them with sac and soc [the right of independent jurisdiction and free Courts]. When the King's messenger came there he gave for the passage of a horse threepence in winter and twopence in summer; but the burgesses found the pilot and one other to assist him, and if he wanted more it was hired at his own cost. From the festival of St. Michael to that of St. Andrew the King's truce was in the town, and if any one broke it the Reeve [*præpositus*,—no doubt the King's Reeve, though not so stated] received a common amend [or fine; the 'truce' meaning immunity from arrest for debt and civil actions]. Whoever resided constantly in the town and rendered custom to the King was quit of toll throughout all England. All these customs were there when King William came into England. On his very first arrival in England the said town was burnt; and therefore no computation could be made of what it was really

worth when the Bishop of Baieux received it. Now it is appraised at 40 pounds, yet the Reeve renders 54 pounds for it,—to the King, 24 pounds in pence of 20 to the ore [ounce], but to the Earl 30 pounds by tale. In Dover there are 29 messuages of which the King has lost the custom.

Then follow the names of the owners, and in the midst of the houses belonging to one of them was the 'Gihalla of the burgesses.'

And these all, in respect of these houses, avouch the Bishop of Baieux as their protector, liveror, and donor.

Next follows a sentence of no importance concerning the King's interest in certain private lands and houses in the town. The report concludes thus:—

In the entrance of the port of Dover there is a mill which shatters almost every ship by the great swell of the sea, and does very great damage to the King and his men.

The bishop of Bayeux had granted leave for its erection.

The allusion in this extract to the insubordinate act of William's troops in burning the town after the Castle had surrendered, for which he punished them and compensated the sufferers, speaks for itself; as also the evidence of Odo's rapacity. He was now in banishment, but his lands were not yet confiscated. What however chiefly concerns us here is the possession by Dover, in the time of the Confessor, of substantially the same franchises which were enjoyed by the Cinque Ports collectively, when we find those franchises more fully defined in much later times. The military service

of shipping is all but precisely the same as registered in the thirteenth century. The national regulation of fees for passage across the Straits, which forms so important an element in the public history of Dover, is here shown, as we might expect, to be of ancient standing. We may observe also the peculiar nature of the King's relation to the place. It is not called *terra regis*, the King's land, though it was evidently vested in the King; nor was it let by him in farm to the burgesses, nor to any one else; but his 'præpositus,' or reeve, or, as the Normans now began to call him, his bailiff, receives the King's established share of rents and profits, the Custos taking a third, by special grant from the Crown, which Odo had managed to raise to half as much again as the King's share.

The casual mention of the Gihalla or Guildhall of the Burgesses requires a longer comment. It is not only a casual notice, but an altogether exceptional incident. The Guild-Merchant was the leading feature in the towns which were making their way to importance in the eleventh and twelfth centuries; but London and the Cinque Ports stand isolated from their fellows in the common absence of the institution, one out of many marks of a history running upon common lines. In the case of the Ports their ancient institutions took its place. Their franchises of imposing and assessing taxes for the whole Confederation, and of holding Courts, their chartered privileges and public duties, united the component parts in a form which intercepted, and supplied a substitute for, the guild-merchant in separate towns, and was itself a guild of a larger kind. The term 'guildhall' was indeed used

for 'Townhall' in some of the Ports, but it has been a comparatively modern use, connected probably with modern guilds of the sixteenth century, and especially of the time of Queen Elizabeth. The same may be said of the office of 'alderman,' which generally went along with the 'guild.' That also was not quite unknown, but the term seems to be only accidentally, if not erroneously, used; for the municipal officers of all the Ports, as we know them in records or charters, bear the Norman title of jurats, not aldermen, presided over by a bailiff, who at different times became under a fresh charter of incorporation a mayor. The exceptional case of Dover at this date may perhaps be accounted for by the passage-system of the place, which may well have required at first some distinct form of guild-combination.

The pre-Norman history of Romney and Hythe has been noticed in a general way under the head of 'Physical Changes,' their basis of population in the Teutonic settlers who came into possession of the Roman reclaimed land, their proximity to the Roman Station of Lemanæ (Englished into Lympne and Limm), the consolidation of their seafaring folk at Romney and West Hythe, and their early relations to the monks of Christ Church, and to the archbishops of Canterbury not only as abbots of the monastery, but as lords of various estates. On one point the early history of these Ports runs parallel rather with the history of Hastings than with that of Sandwich and Dover. They were the nautical outlets for a body of settlers scattered over a considerable space—no doubt, like the Hæstingan, more or less connected by clanship, —who were for the most part tenants of the monks

endowed by the Kings of Kent, rather than the centres of a fishing and trading people gathered round the ports which gave access to the interior of the island and linked it with the Continent. In other words they were more peculiarly Kentish, while Sandwich and Dover had a wider connexion, and thus came more to the front when the supremacy of Kent passed away.

That they did not fall behind their neighbours in consequence of a position less favourable for civilization from without, would seem to have been due to their relation with their ecclesiastical lords formed at a very early date. Eadbriht's Charter discloses to us at Romney, in 741, a fishing-community, with plough-land and pasture, in which the monks had already established a Vill of St. Martin, and at Lydd a 'Bishopswick,' and it grants them a definite portion of this land and lordship over the fishermen, soon afterwards enlarged by Offa, for the support of their monastery. Out of these grants and out of the lordship of the archbishops, extending over so large a part of the Marsh, grew the erection of the churches which are very numerous throughout the Marsh lands, the domestic regulation, the progressive culture, and the hundred civilizing influences which in those days came through the monks, and were incorporate with the very elements of the English Constitution. That 'Old Romney' was not a first settlement out of which grew a 'New Romney,' as in the case of West Hythe and Hythe, will be noticed more fully elsewhere.

The steady growth of the place, of which we have no more details than at Dover, was certainly due, after allowing for its relations to the Marsh district, and the

other advantages above mentioned, to its fine harbour. This, when once entered, must have been superior even to Sandwich, though perhaps not so accessible, nor so convenient for large fleets. On the other hand its entrance was far better protected, and the expanse of safe anchorage probably greater. Thus the Port had a good start in pre-Norman times, and its central situation between those to the North-east and those to the South-west made it natural that the annual Assembly of the Confederation, called the 'Brodhull,' should, after a time, be removed there. This and the Court of Shepway were probably held, like all early Teutonic assemblies, in the open air, and served to bind the various bodies of fishermen and merchants together in reference to their ships and seamen, their fishing grounds, the Yarmouth Fair, and their relations to their respective lords, to foreign merchants, and to one another. Shall we be wrong if we connect these remarkable institutions, second only in historical interest to the Witenagemót itself, with the great ecclesiastical corporation which dominated both Hythe and Romney? We know how much the early dynasties owed to bodies of monks, and how closely the latter were associated both with the laws and the Councils under which the infant communities of England attained maturity.

The exact locality of Shepway is no better known than that of Brodhull, which gave its name to the Assembly, probably because at neither place were there any public buildings to shelter the delegates. Thus they appear on no map; but we know that Brodhull was near the village of Dymchurch which still exists, and Shepway was about half a mile eastward of Lympne.

The names in fact, having long passed away from the places, became the names of the institutions originally connected with them. But the spots were marked in ancient times, by a cross at Shepway, and perhaps, as a 'watch' was kept at Brodhull, by a watch-tower there, a conspicuous mark towards which the ships and boats of all the Ports, far and near, might steer. None of the delegates bound to Brodhull would have to go too far from home; and on their arrival, they would beach their craft on a shore fairly sheltered by Dungeness, at the 'broad hill' of Dymchurch, which may well have been some portion of the wall which extended for three miles along the beach.

The Cinque Port Assemblies were closely connected with their government of Yarmouth Fair, an institution which enters so deeply into questions of origin that it should, properly speaking, be discussed at the very outset of this book. Nevertheless it will be best to deal with the subject as a whole in a later chapter. It was the early settlement, conversion, and leadership of Kent which placed this government in the hands of the Portsmen; and again we may well suspect that it was to the tuition and patronage of the monks, who were so much concerned with the fishermen and required the fruit of their labours for the supply of fish-diet, that the interesting organization of the trade which we shall have to trace was chiefly due. The fishery, pursued under grave responsibilities for its control, was the very parent of the Court of Shepway and the Brodhull. It was also the parent of deadly feuds, of frequent royal interventions, and a very remarkable system of jurisdiction at Yarmouth.

The ships and seamen of Romney only come before us, in distinction from the rest, once before the Conquest, but that in the most honourable manner. We learn about their relations to the Crown and the nation from the following incidental notices in Domesday Book:—

In Romney there are 85 burgesses, who belonged to the Archbishop's manor of Aldington, and were, and now are, worth to the lord 6 pounds.

To Lamport belong 21 burgesses who are in Romenel, of whom the Archbishop has three forfeitures, theft, breach of the peace, and highway robbery. But the King has the whole of their service, and they themselves have all customs and other forfeitures for service at sea, and they are in the King's hand.

In Lamport Hundred Robert de Romenel holds of the Bishop, &c. &c. . . . The same Robert has 50 burgesses in the burgh of Romenel, and the King has all their service, and they are quit from all [other] sea-service, and from all customs [or dues] except in three cases, theft, breach of the peace, and forestel. In the time of King Edward these were worth 40*s.*, now 50*s.*

The number of Romney burgesses here mentioned is 156; but these notices are gathered from different portions of the Survey, the place itself not being treated as a whole, and it is a question whether we have a complete total. In the references however to the King's service at sea we trace the same general conditions, quite incidentally made, that we find explicitly stated in the cases of Sandwich and Dover.

We may be sure that the Cinque Port ships, thus bound to service, formed the nucleus, probably the chief

strength, of Harold's fleet, at the head of which he kept the sea during the weary summer of 1066, while the Conqueror was collecting his army and navy from all quarters, first at the mouth of the Dive, and then at St. Valery. We know how the English King found himself obliged by the failure of supplies to exchange the guard by sea for a camp of observation on shore, and how he soon afterwards hurried to the North with all his available force to meet his brother Tostig and Harold Hardrada, King of Norway. He has incurred the blame of posterity for leaving no squadron afloat to watch the enemy, but are we sure he did not? As it happened, the only resistance the Conqueror experienced (if we except the case of Hastings, where we have an indication of the same sort) was at the hands of the men of Romney. The notice is obscure, but unmistakable; for the first thing William did after his victory was to march to Dover by way of Romney, and at that place 'he took what vengeance he would for the slaughter of his men,'—a terribly suggestive statement. It is said that a portion of his fleet, attempting a landing at Romney by mistake, were roughly handled by the Englishmen. Is it possible that the true story was that the Romney contingent had been kept on foot—singled out, perhaps, by Harold as the most trustworthy portion of the Cinque Port fleet, and that it opportunely fell upon the Norman ships as soon as it saw a few cut off from the rest? At any rate the resistance and the punishment contrasted gloriously from an English point of view with the behaviour of the rest of the Ports. But no tradition has survived of any difference being made with respect to Romney when the Conqueror

granted his charter. He was much too wise to bear malice against a people who might be useful in the future. They had but done their duty.

The early history of HYTHE is even more obscure than that of Romney, and for reasonable conjectures respecting it we are even more forced to rely upon the ecclesiastical history of the neighbourhood. We have seen how the Portus Lemanis came to be separated off from Romney Marsh; and may observe how the very name given by the settlers to the now independent port betrays the origin of the town. It was at the English Hudanfleot, the haven of the estuary, or the Hythe, that the town was built, and it receives the same name, Hede, Hethe, or Hythe. But the sea which left Lemanæ, or Lympne, high and dry after the draining of Romney Marsh, gradually left the first Hythe also, drawing the population along with it, till their town reached an extent of two miles by the side of what had been the haven. The original settlement, though never quite deserted, was thus so distant from the rest that it received the name of 'West Hythe.' At last the town came to be altogether cut off from the sea by the progressive force of the 'Eastward Drift,' and what remains of it is now some distance inland.

It might have been thought that there was not sufficient room for two towns so close together as Romney and Hythe to flourish, since each owed its origin to the same basis of population, and so, one might expect, were, like Sandwich and Stonor, destined to a dangerous rivalry. But the Marsh interposed a far wider space than the Stour, and we may attribute their friendly relations partly to their being under the same

ecclesiastical lords, partly to their both being early included under the same confederate institutions. Hythe had one special advantage over Romney in the Roman road from London to Canterbury, one branch of which terminated at Dover and the other close by Hythe, at Lympne. This last was the English 'Stone Street,' which afforded a ready transit for fish and other goods to a large part of the country.

But the chief market of Hythe was no doubt to be found at the monasteries and nunneries with which the coast was studded by the zeal of the Royal House during the first century after St. Augustine's conversion of Kent. From Ethelberht's son, Eadberht, came in 633 the gift of the ancient royal palace and lands of Lyminge to form the foundation of the nunnery which his sister, Queen Ethelburh, established at that place; and some land in West Hythe called Sandtun (now Sampton) was granted to the same institution by kings of Kent in 732 and 833. The salt-pans left by retreating tides had already supplied the standard industry of the neighbourhood. We can only guess at the effects of these separate factors in the rise of Hythe; but, as in the case of the sister-ports, the chequered century of the Danish invasion and conquest had left behind it an evident balance of progressive advancement.

The ravages of the conquering race had long expended their force, and the land had rest under Cnut, when in the last year of his reign, and in his presence, a thegn named Healthegen, or Halfdene, owner of the estate or manor of Saltwood, gave it, after his king's example, to the monks of Christ Church. Along with the manor went its appendage, the burgh of Hythe,

which in its progress from West Hythe to the East had finally settled in Saltwood manor. Long before this the endowments of these Christ Church monks had been greatly augmented by the grant of the religious foundations of Lyminge and Folkestone, which no longer fulfilled their original object, so that the whole neighbourhood was in the possession of one great corporation. Domesday Book bears witness to their lordship over Hythe.

To this manor [Saltwood] belong 225 burgesses in the Burgh of Hede. Between the burgh and the manor it was worth 16 pounds in the time of King Edward; when he [Archbishop Lanfranc] received it, 8 pounds; and now, on the whole, 29*l.* 6*s.* 4*d.* To the manor of Lyminge there belong also 6 burgesses in Hede, tenants of the land of Sandtun already mentioned and of the other members of this burgh in Romney manor.

Hence arose the complete jurisdiction of the archbishops as abbots of Christ Church, which until the date of Halfdene's gift had only been exercised, in right of the lordship of Lyminge manor, over a small portion. The inclusion and absorption of Hythe in Saltwood is supposed to be the reason of the absence of any notice of its ship-service to the Crown as at Dover, Sandwich, and Romney. It is not spoken of as an independent place, but merely as a part of Saltwood manor; and it is in entire keeping with the rest of the Survey that its functions as a Cinque Port should in such case be omitted; it being borne in mind that the object of the Survey was to give a statement of the rents due to the King, not an exhaustive account of the places mentioned. There is much force in this reason-

ing; nor does the very different case of Romney suggest any real objection to it. Lastly, the Hythe ships are only once mentioned before the Conquest, on the occasion when they were swept along with the fleet of Earl Godwin on his expedition against his king. They were his 'men' by every tie known to the age, since he and his successors in the lordship held the town and port under the archbishops. Some have ventured to connect the remarkable collection of human bones now in the crypt of Hythe church with the history of the place; but what they are is a mere matter of speculation, and can never be anything else.

Thus reviewing the characteristics of the five Ports, of which the infancy and youth have been here sketched, though only just enough to show how little has come down to us from these early centuries, we find they had one common mark, a close and continuous connexion with powerful ecclesiastical bodies which cannot but have exercised an enduring influence. Each, however, brought a contribution of its own to the common stock, and by the eleventh century they had each arrived at the stage when common trials, common discipline, common enterprises might well be expected to have fitted them for the formal service of the nation under the Crown. We have not far to look for the agents in their education, for the whole nation was trained in the same rough school. The discipline through which they emerged out of a set of trading communities banded more or less together for common purposes, into a military force fit to serve the King in naval warfare, had surely been supplied by the Danish wars. The reason why in neither of the two invasions we hear of their offering

any special, or organized resistance is plainly because they had not been yet sufficiently prepared to take a prominent part. But, as we have said, they must have suffered like the rest of the English, and often more, as more exposed.

There were many reasons why the two kindred people should speedily amalgamate in the generation which succeeded the Danish Conquest, reasons which did not exist either in the case of the earlier English or later Norman invasions. Without entering upon these in detail, we may place in the front rank the strong hand and resolute will of Cnut, and the recovered domination of the monks who led their conquerors captive. At the Cinque Ports these causes operated powerfully. The King exercised his enlightened patronage in more ways than one. More firmly than ever were the archbishop and monks established in their ancient seats. The amphibious Danes, under their King's supervision, would readily take to the seaport burgher system, which was already strong enough to absorb the new-comers, and the sons of the invaders became the strenuous defenders of the shores which they had triumphantly assailed. Commerce again held up its head under an improved police of the seas, no longer disturbed by the struggle which had broken up the highway of the infant nations. The flourishing state of the Ports under Edward the Confessor tells its own tale.

So much we may infer as to the introduction of the Danish element into the Ports system. Some military effect may also have been produced on the Portsmen by contact with the 'Buscarles' or 'Butsecarlas,' a naval

fighting force which may perhaps have corresponded to the 'Huscarlas' or personal guards, who gathered round Cnut, Godwin, and Harold on many a critical occasion, and notably round the last at the Battle of Hastings. These do not seem to have constituted a naval force in the sense of a squadron of ships, or of a community holding ships regularly at their disposal; but are spoken of as a body of picked men, deriving their name from the 'buss,' a larger vessel than those in common English use, some small number of which may have at first attended upon the Danish King. Distributed amongst the Cinque Ports and in the waters of the Thames, and doing service to the Crown alone, they represent in some degree the King's sea-soldiers of a more modern date. As we do not hear of them after the beginning of Henry I.'s reign, it is probable that they were about that time amalgamated with the Cinque Port force, from which they were clearly distinct in earlier days.

The Cinque Port historians have not troubled themselves much to defend their belief in the reality of Edward the Confessor's charter. The *onus probandi*, as they instinctively saw, rests with those who deny the existence of charters in the past because they cannot see them now, who reckon the '*Inspeximus*' of Edward I. and his successors a mere formality, who attach no value to the statement contained in Queen Elizabeth's charter that 'divers of the most ancient charters made to the Barons of the Cinque Ports . . . by length and tract of time and many ages, or otherwise, are perished and utterly worn out, lost, or decayed,' and who ignore the evidence afforded by Cinque Port institutions to a pre-Norman existence of the Ports as an

important confederation. The incredulous also note the absence in Domesday Book of any mention of Hastings and Hythe, as bound to the Crown by ship-service; and they point to the Norman form of 'Cinque Ports' adopted as a title, instead of what they would expect, viz. 'Five ports,' like the Danish Five-boroughs. It is not indeed a matter of very much consequence. Only the least informed and most sceptical have placed the act of incorporation later than the date of the Conqueror, and it must be admitted that the establishment by him or his sons of a Constable of Dover Castle, who was also 'Custos,' or Warden, of the Cinque Ports, was an almost fundamental point in the institution regarded in its national aspect. But the omission in Domesday Book has been already noticed as forming no real ground for cavil, and the name occurs so generally in mediæval writings, either in its Latin form or as 'V Ports,' that it is hard to say when the French form came into common use. However, not knowing the date of the Confessor's charter, it may serve to render his policy intelligible if we briefly recapitulate the leading events of his reign, and show how natural it was that he should be the first to take the step attributed to him, pointing out at the same time the particular period when he would be most likely to take it.

Edward the Confessor, though in some respects unfit for a crown, pursued through great part of his reign a policy the sagacity of which ought in all fairness to be acknowledged. To give the land peace, almost unbroken peace, for a quarter of a century, was no small praise in times when every element of disorder was abroad; nor, however well served by some of his

subordinates, can we refuse due credit to the responsible chief. His personal concern in the resistance to the enemies of England is most honourable, and very much to our present point.

The saintly King had not been long upon the throne of his ancestors when a new form of the invasions from the North which had been so terrible in past times threatened England under Magnus, King of Norway. Edward had an able commander in Earl Godwin, a man remarkably well acquainted with sea affairs; but he nevertheless took command of his own fleet in 1044, 'going out' from London to Sandwich with 35 ships. Next year he again 'went out with his ships to Sandwich, and there so great a force was gathered that no man had seen a greater fleet in this land.' Confronted by the King, and checked by a movement of the Danes, Magnus was paralysed. The danger passed away, and was succeeded by a savage piratical descent of these very Danes upon Sandwich. 'They took unspeakable booty in men and gold and silver, so that no man knew how much it all was.' Godwin is sent to engage the marauders, but fails to find them. The quarrels of the Earl's family, ending in the murder of Beorn, occupied the next two years. An enemy even more troublesome than the Norwegians and Danes, Baldwin Count of Flanders, now demanded the whole attention of the King; for the Count's court at Bruges was ostentatiously made the refuge of every pirate who had ravaged an English port and every malcontent Englishman who had reasons for absconding. Again the King, wisely allying himself with the Emperor, repaired to Sandwich, and at the head of a great fleet which lay there ready

for action, gave at least a moral support to his ally, who soon 'obtained of Baldwin all that he would.'

These fleets had been formed by the contributions from the shires which were known to the people, though not properly so called, by the hateful name of 'Danegeld.' Such a King as Edward could not bring himself to continue the oppressive tax, and so he gradually dismissed the fleet which he could not afford to keep afloat. Some few ships he had which are called his own; but these were wholly inadequate for the defence of the coasts, much more to make him independent of Earl Godwin, who, representing the growing disapproval of Edward's Norman sympathies, revolted and was banished in 1051. After that we are told that the King

> released the English from this tax in the thirty-eighth year after Ethelred, his father, had first ordered it to be paid to the Danish soldiers.

Shortly after the fleet had been paid off and the so-called Danegeld remitted, came Godwin's return in arms; then the failure of the King's ships to engage him, hastily summoned as they had been by the King, and commanded by inefficient officers; then the Earl's successful collection of the ships and the Butsecarlas from all the Ports, and his virtual conquest of his Sovereign. There was no force to resist the popular favourite. He died in 1053.

Reading the lessons of these nine years as the King himself can hardly have failed to read them, we may make a fair guess as to his sentiments and course of action. It was the most natural thing in the world

that he should now incorporate the Cinque Ports in the form of a Royal Navy bound to stated service. Some method must be found of preventing the recurrence of the late distressing events. The Danegeld he neither would, nor perhaps could, reimpose. His coffers could not possibly fit out fleets such as he had been so often used to command, and the demand for them might arise at any moment. The alternative of taking up the Cinque Ports would naturally present itself. They possessed ships, seamen, harbours, and institutions. They had been carried away by the patriotic eloquence of the too powerful Earl; they must be attached to the throne by some permanent tie, some self-acting arrangement which would appeal to their interests as well as to their honour and loyalty. Hence the sweeping franchises which they now received, and as a condition of tenure, their regulated supply of shipping for fighting purposes, serving for a limited time, and on a stated notice. Traces of these things in three cases are found in Domesday Book. It was a cheap defence; for the Crown paid nothing for the support of ships or seamen except when they were really wanted. These lands and franchises, held on military conditions, were no doubt a sort of feudal service; but we no longer limit the introduction of feudal principles to the advent of the Normans. Nor need we consider Edward's patronage of the Abbot of Fécamp in connexion with the Sussex ports, inconsistent with his Cinque Port policy. The enemies of England were in his eye the Norwegians, Danes, and Flemings. With them he had been contending all his reign. With Normandy he hoped for nothing but alliance, and probably union under one

Sovereign. The Cinque Ports were to be rather a bond than a barrier.

We have thus passed in review all the various factors in the construction of the Cinque Port system;—the Jute and Saxon seafaring men and their convenient harbours, the ancient precedents to which they succeeded, the advantages gained in those early days from an ecclesiastical connexion which was gradually gathered up into the grasp of single and powerful bodies at Canterbury and at Fécamp, the impulse given to the development of these Ports by the early leadership of Kent, the military character infused by the Danish invasions and subsequent sovereignty, the predominance of Godwin and Harold which gave a fresh force and unity to their immediate dependants on the coast; and finally we look to the circumstances of the Confessor's career, and his personal experiences amongst the homes of these hardy seamen.

We may conclude this chapter by the observation that at the period of the Conquest the Cinque Ports, in spite, perhaps in consequence of, all they had suffered, were not only the most important corporation in England, being the only one dignified by an important national position under the Crown, but amongst the most flourishing towns in point of population. The *data* in Domesday Book are not complete, but they afford a fair approximation. Assuming that we may credit Dover (which drops out of the register of burgesses in Domesday Book because it had been recently burned) with the same number of burgesses as Sandwich, and that the latter contained at least one burgess for each *mansura hospitata*, we have 383 in each, 231 in Hythe, and

156 in Romney. These form six-sevenths of the whole number of burgesses in Kent, where Canterbury had 263, Rochester 5, and Fordwich 6. London and Winchester are not included in the Survey; but of the rest of the English towns, the numbers in Lincoln, York, Thetford, and Norwich (Colchester also slightly), alone exceed those in Dover and Sandwich respectively, while the burgesses of Kent, of which the four Cinque Ports contributed so large a proportion, are outnumbered by Norfolk alone. Adding only the 64 burgesses of the Sussex 'New Burgh' to the 1,153 of the four Kentish Ports, the total is 1,217, but there is no doubt a large addition to be made for Hastings itself, as well as something for Rye and Winchelsea. We are unable to calculate what population that represented on the whole; but, besides women, children, and the servile class, there were large bodies of men in each Port who were not freemen or burgesses, an appellation now to be exchanged for the Norman term 'baron.'

Here then we have a rough outline of the condition of the Cinque Ports during the times when we have little to guide us but inferences from a few ascertained facts. Their internal government and confederate institutions, though they have an important bearing on their early history, will best be reserved for Chapters IV. and VII.

CHAPTER IV.

THE CINQUE PORTS UNDER THE NORMAN AND ANGEVIN KINGS.

The Conqueror's organization—The Charters of Henry II., Richard I., and John—Revival of the Ports—Winchelsea and Rye—Court of Shepway—Custumals—Title of 'baron'—Norman remains.

THE Charter of 6 Edward I. (1278) is the palladium of the Cinque Port liberties. It was held to be so not only as the earliest of those granted to the Ports which had survived the disasters of the Middle Ages, and thus the earliest which could in later times be actually produced and handled, but also because it was the great settlement of long-standing grievances, and contained new franchises of the highest importance in addition to the old. The words which touch the charters of former Kings may be thus translated:—

'They shall have their liberties and quittances from henceforward in the best, fullest, and most honourable manner that they and their predecessors have ever had in the times of the Kings of England, Edward, William the First and Second, King Henry our great-grandfather, and in the times of King Richard, and King John our grandfather, and of the Lord King Henry our father, by the charters of these same kings, as those charters, in posses-

sion of the Barons, and which we have seen, do reasonably testify.'

The Charter is thus essentially a confirmation of the grants made by previous grantors, and is granted to the 'Barons of the Cinque Ports' collectively, which certainly supposes that the former charters were granted in the same manner. Again, if we go back for nearly a century from the date of Edward I.'s Charter we find the Cinque Ports spoken of by name as an old institution in that granted by Richard I. to Rye and Winchelsea (1190). Those of John use the same language. At the Coronation of Richard I. Roger de Hoveden tells us that the King walked between the Bishops of Durham and Bath, and that 'a canopy [*umbraculum*] of silk, supported by four long lances, was held over them by four barons,' and they were followed into the abbey by 'a whole crowd of earls, barons, knights, and others, cleric and lay.' This privilege is known in the charters as 'Honours at Court.' Very soon afterwards a monk of Christ Church, Canterbury, writes to a friend:—

> The archbishop presented to the Blessed Thomas a remarkably large ivory horn which the King had given him; and a certain pall, which belonged by ancient custom to the Barons of Dover and the Cinque Ports on the Coronation of a King, was offered up by the same Barons on the altar of Christ for an eternal remembrance.

This offering we find at a later date to be a regular custom, no doubt connected with the lordship of Christ Church already noticed; and being 'ancient' in 1189, it is clear that the canopy or pall was offered up at the high altar long before the 'Blessed Thomas'

became an inexhaustible treasure to the guardians of his shrine. These references to the Cinque Ports and their ancient customs occurring towards the close of the twelfth century connote the lapse of a considerable time since they took their origin, and may be held to confirm the statements of Edward I. Why, however, we hear so little of the Confederation and its customs in the century during which they were becoming 'ancient,' requires such explanation as we can presume to offer in the absence of records.

We should in the first place naturally expect that the Conqueror would frame the charter which Edward I. 'saw,' on the same general principles as those attributed to the Confessor, and that he would so far modify the looser system which he found on his arrival as to make Dover Castle the seat of the officer who was to be responsible for the whole Confederation. The value William attached to the fortress at that place, even in the comparatively rude form which it had assumed under the English dynasty, and to its famous well, is part of English elementary history. His rapid march straight upon Dover, his care to propitiate the inhabitants after the surrender of the castle at the first summons, and his immediate provision for its security by establishing his half-brother there, with the Earldom of Kent at his back, marked the first steps of the Conqueror after the Battle of Hastings. Long before Odo's disgrace, which is supposed to have brought the latter part of his policy into full operation, William had good reason to be gratified with the attitude of the Ports. The difficulties which beset the establishment of his conquest, and the severe measures he considered it necessary to take after

putting down the various rebellions of the English, are familiar to all; but he had no trouble with the really vulnerable part, the south-eastern coast. When the powerful fleet led by the sons of Sweyn was beaten off from Dover and Sandwich in 1069, we cannot but attribute the fact to the loyalty of the Ports. The descent of the fleet upon those coasts had perhaps been meant as a test before proceeding to the North, where Waltheof and the bravest of the English were ready to receive them. At any rate it completely failed.

For the details of the plan which the Conqueror actually pursued on the disgrace of Odo we have no authentic history. The Dover documents have been lost, and we are reduced to depend upon writers of the sixteenth and seventeenth centuries who had access to some of them; but we cannot be at all sure that these papers were trustworthy. The fortifications of Dover are however Norman, and the union of the Constableship with the Wardenship of the Cinque Ports is an ancient institution when we first obtain historical information in the century succeeding the Conquest. With this caution we may describe what is said to have taken place.

The officer who was to be responsible for the national defence by land and sea on the shores where the Conqueror knew well the struggle must recur again and again, was not, it seems, to be an Earl Palatine, with *jura regalia*, like the Earl of Chester, still less a great Earl of Kent or Wessex, like Godwin and Harold. The position of those English Earls with reference to the coast, not unlike that of the Roman Count of the Saxon Shore, had apparently been occupied without change as

a temporary expedient by the brother whom the King could trust while he was himself engaged in consolidating his Conquest, but it was not to be re-established. Odo had been useful at a critical moment; but the temptations of profit and power had been too great for him. William is now said to have conferred the guardianship of the coast as an hereditary fief on a certain John de Fiennes, whose name, however, does not appear in any contemporary record. John was to do service for his lands as Constable of the Castle and Warden of the Ports, and with him were associated eight other officers of inferior rank, to whom lands were granted, as they were to the Constable, in different parts of England. To each of the eight officers is said to have been assigned his part in the task of extending and remodelling the works of Godwin and Harold. At any rate their picturesque towers still bear their names, and to these were added others at later dates. The gigantic keep, which became also a palace for the kings when at Dover, seems to have been begun as early as the towers. The date of Odo's disgrace falls so near that of the Great Survey that we could hardly expect to find any notice there of these transactions; and as the death of William occurred shortly afterwards, it is quite possible that what was attributed to him may really have been the work of one of his sons.

The office of Constable and Warden ceased to be hereditary in the reign of Richard I., and in the long roll of those who have held it are to be found every class of public servant, many of them of the highest rank. A few exceptional cases are found of the separation of the two offices; but the Lord Warden was always a

King's officer, unconnected with the Ports, save as commissioned, not, strictly speaking, to govern them, but to see that the Barons did the duty on which their franchises depended. From the first he seems to have stood to the Ports in the position of Sheriff; and probably from the first, at any rate from a very early date, the strongest possible pledge was taken from this powerful officer that he would not abuse his position. He was not to be forced upon an ancient institution, which had to be conciliated, without a solemn and significant installation, on which occasion he publicly took the 'Serement,' or oath, to protect the liberties, usages, and customs of the Cinque Ports.

What changes were wrought in the municipal institutions of the Cinque Ports under the Norman reorganization, or whether there were any at all, has never yet been investigated, nor perhaps do materials for the purpose exist. Domesday Book tells us, as we have seen, of a borough, of a *præpositus*, or reeve, and of *burgenses* or burghers who are responsible on certain conditions for services to the Crown, and at Dover have a Guildhall. This is a stage of development similar to that of the other large contemporary towns; and that the '*præpositus*' becomes a 'bailiff' under the Normans may argue nothing but a change of name from the ancient 'reeve,' while the governing burgesses, whatever their number may have been—probably twelve—become the twelve jurats. On the surface there appears to be no change. The freemen become 'barons,' and they hold their lands collectively as a barony, which were only Norman names for the accustomed tenants and tenure. But there was a change,

and it was all-important. The new relation of the Ports to the Constable of Dover Castle was distinctly a part of the general plan of Norman government, which was to infuse into existing institutions, perhaps imperceptibly, certainly without destroying them, the principle of the derivation of all power from the Crown. Thus the old immemorial liberties were retained, but their exercise strictly controlled.

The franchises of the Barons and the tenure of their lands being conditional on the supply of military service at sea, this circumstance placed them in such peculiar relations to their immediate lords that we can feel no surprise at the non-existence of any set description of those relations; indeed in the accounts which have been written of separate Ports the lords are almost ignored. As freemen of ancient municipal land-owning boroughs the Barons had, in each of their local Assemblies, a joint ownership of municipal lands, and independent rights of all kinds which seem totally inconsistent with the manorial rights of an abbot of Fécamp, or archbishop of Canterbury. To the Warden, as the King's officer, they were, within recognised limits, accountable, and this was their protection from petty tyranny. Probably the lord's rights were reduced in these cases to the smallest proportions. We shall see the lords appointing bailiffs in Romney and Hythe, and receiving their dues at those places and elsewhere; but beyond a certain dread of their interference with established rights, and the delay which their lordship caused in the incorporation of the Marsh-towns under mayors, we seldom come across them.

We have now before us the Norman method estab-

lished for the regulation of the Ports system. The Castle of Dover and its Constable had come to fill a new place which overshadowed the ancient Confederation, and restrained its independent action; but we may further attribute the state of suspended animation in which the Ports seem to exist to the absence of nautical opponents. With the advent of the Angevin House there are signs of fresh vitality; but not till the reign of John does their distinct military service, performed at the will of the Crown, project itself plainly before us as a part of the national history. It comes out then as the leading characteristic of the old institution. It had been dormant, but was ready to hand when need arose.

One result of the Conquest was to turn the British Channel into an Anglo-Norman arm of the sea, which became, under the first Angevin Kings, still more the exclusive possession of monarchs who governed half France from their island-throne; but with the reign of John it becomes, almost for the first time, a dividing water between hostile forces. The iron hand of the first three Norman Sovereigns was sufficiently felt far and near to deter marauders from the old piratical descents upon the coast, and to paralyse or disperse the greater enterprises which under weak Sovereigns would have renewed the series of invasions from the North. William Rufus and Henry were to the full as 'stark' as their father. The chronicles are singularly obscure as to the composition of the fleets which were called out on different occasions both by the Conqueror and his successor; but as both gave charters to the Ports we should expect that the contingent which they supplied would form a part of such fleets, perhaps of that

which was lost on the Scottish expedition of 1091. William Rufus was not at all likely to let their ship-service sleep. Henry I. and Stephen give no charter, nor do we hear of the Ports collectively during their reigns; but when we come to that of Henry II. the frequent mention made by his sons of the charters which he had conferred upon the Cinque Ports points to the reinvigoration of the system. None of these however have come down to us, any more than those of Edward the Confessor, the Conqueror, or William Rufus, a circumstance which destroys the argument drawn from the non-existence of the charters of the three last-named kings. We arrive then at Richard's charter of confirmation to Rye and Winchelsea, and the similar ones of John sent afterwards to all the Ports at the same time, but separately. The first of these kings dated his charter from Messina, where he stopped on his way to Palestine, on March 27, 1190. The following is an abstract:—

The men of 'Rya' and 'Winchenesell' are to be free and quit on both sides of the sea, 'wherever they may come throughout our whole land,' from 'all toll, lestage, tallage, passage, carriage, rivage, sponsage, wreck, reselling, and all customs.' 'We grant them also all findings by sea and land, and quittance for all their goods and merchandise as our free men.' No one is to disturb them or their goods on pain of forfeiture of 10*l.* They are to be 'quit of Shires and Hundreds, and if any one desires to implead them, they are not to answer or plead otherwise than as the Barons of Hastings and of the Cinque Ports plead, and were accustomed to plead in the time of Henry, our father.' In return for these liberties they are to find 'towards our full service two ships to complete the number of the twenty

Hastings ships.' All is to be taken 'as our father made the grant, and as our charter has confirmed it.'

Hence we see that Rye and Winchelsea had been practically added to the Cinque Ports by Henry II.; but this fact and others come out more clearly under John's charters, which were preceded in the first year of his reign by a mandate addressed to Geoffrey Fitz-Peter, the Justiciar, ordering him to inquire into a complaint lodged by the Barons of Hastings against the above towns. The charge is that they fail to provide the aid they owe towards the Hastings ship-service, and thus 'injure the town and those who resort to it; so that it is in a declining state.' Geoffrey is to inspect Richard's charter given at 'Meschines,' copy it, send it to the King, and do what is right in order to obtain performance of the obligation; 'for we will not lose our Service.'

We next have the series of six charters dated June 6 and 7, 1205. These are mere skeletons, referring to former charters, and evidently granted for an immediate purpose, the collection of a navy for the recovery of Normandy from Philip of France, who had just expelled John's forces and taken full possession; but they fill an important place in the history of the Court of Shepway. It should also be noted that the franchises of Sandwich are to be such as the town enjoyed in the reigns of 'William and Henry;' of Dover, as in that of 'Edward;' of Hythe, as in those of 'Edward, William I., William II., and Henry;' of Romney, as in the case of Hastings; but Hastings itself is much the most elaborately provided for, and its people are alone addressed as 'barons.' As Premier Port it is a model for the whole. Its Barons are to have their

'Honours in our Court,' their 'den and strond' (use of shore and quay), at Yarmouth (where they are 'to take care of our peace and justice'); and to have full livery or pay if their 20 ships are detained longer than the 15 days for which they are bound to provide at their own expense, 'as the charter of Henry, our father, reasonably witnesses.' Finally they are 'to be quit of all things as our free men.' These words are also used in the case of Rye and Winchelsea, which receive a joint charter almost in the same terms as occur in that of Richard, to which document the men of those towns are referred. The privileges 'at Shepway' of the 'Barons of Hastings and the Cinque Ports,' which must be taken to mean 'Barons of Hastings and the Cinque Ports generally,' are again recorded here.

From this summary we gather that Hastings, in spite of the addition of the New Burgh and the patronage of the Norman Kings, had begun to show signs of distress; and that Henry II., carrying still further the policy of his predecessors, had applied himself to the formation of the three Sussex Ports into a united body. The growing towns of Rye and Winchelsea, called a little later '*nobiliora membra Quinque Portuum*,' were each to help the Head-Port with a ship apiece, and to partake of its franchises.

It was high time to call in aid. Some of the five parishes and churches of Hastings were at the very mouth of the harbour, and the processes of destruction had evidently been in full operation for many years. The New Burgh could never at any time have been equal to the old, nor was there room between the hills to develop a town of the same magnitude. Thus the

original contribution of ships sinks lower and lower. It is now to be 18. It stands in the next century at 6; and then settles down to 5, at which it was stationary throughout the remainder of the Cinque Port history. We never again hear of any such difficulty as Geoffrey Fitz-Peter was commissioned to compose: on the contrary there is a distinct Sussex *esprit de corps*. This was the contribution of Henry of Anjou to the work which the English Confessor had commenced, and the Norman Conqueror had engrafted into the land system of national defence. The 'Royal Navy of the Cinque Ports' was the creation of three dynasties.

Just as in the last chapter Domesday Book gave us the fixed points which were necessary in order to understand something of the previous history of the Ports, so these charters show us what had been going on for the century which succeeded the Survey. Their fundamental object was to secure the good-will of the Portsmen for a particular purpose by removing a grievance with respect to courts of law, common to all, deep-seated, and highly characteristic. The Sheriffs, under the centralizing system of the Conqueror and his sons and the Itinerant Justices of Henry II. had each in turn encroached upon local rights which had been fondly cherished by the Confederation from Old English times. The Court of Shepway was the central law-court of the whole body, and the method of trial by pledge and gage, as well as the notice of 40 days which marked its practice, bespoke its origin. It thus seemed to the new government the very type of those irregularities which required to be put down. Why should the Ports be excepted? Henry and his sons however

discovered that they might buy uniformity too dear, and came to the rescue. The Portsmen are to be 'quit of Shires and Hundreds,' and not to be impleaded anywhere but at the 'accustomed' place, Shepway. Accordingly the Court was restored, and still, down to the present day, exists.

The form of the writ of summons used by this Court, and to be found in Bracton, is of the date of John. The Bailiffs of 'Hastings, Romual, Heya, Dover, and Sandwyz' are to see that twenty-four Barons appear at Shepway before the King's Justices for specified legal purposes; and there also are to be adjudged the disputes which were wont to arise between the Cinque Ports and the men of Yarmouth and Dunwich. These writs were not long in use. The troubles of the time caused a long intermission of the Court, as we find from a letter of Henry III. in 1228; and in 1260 the Barons obtained, amidst the shifting politics of the Barons' war, the wish of their hearts, entire freedom from summons before the Justices. Edward I. confirmed their immunity. The Warden now took his place as the King's representative at the head of the Court, from which there was no appeal. Thus ended a struggle which had lasted for some generations.

Pending the settlement the Hundred Courts of the Ports, also re-established by Henry and his sons, took a great development. Here the Portsmen wisely learnt to decide for the most part their differences; while the Court of Shepway soon ceased to be held annually as of old, and became a Court of Appeal on five points—high treason, falsifying money, failure of ship-service, false judgment, and treasure-trove. To form this Court

each Port had from time immemorial been bound to send its reeve or bailiff and a certain number of freemen. During the usurpation of the Justices their position had doubtless been much lowered; but though apparently revived under the presidency of the Warden, it practically fell lower still. The President of the Court became by degrees the Court. It was even called the 'Warden's Court,' and causes began to be more and more withdrawn to Dover, where the President, advised by lawyers, gave judgment. This change in the Court of Shepway on the one hand increased the power of the Lord Warden, and on the other developed the growth of the free Assembly called the Brodhull, in which he had no seat. The Assembly took in fact the place which the Court of Shepway no longer filled, adding to its business, which seems originally to have been almost exclusively concerned with Yarmouth Fair, all such functions of the Court as were not strictly legal, especially the all-important provision of ship-service and assessment of taxes. We are quite unable to assign a date to its commencement, though we may be sure that it did not attain to first-rate importance till the thirteenth or fourteenth century. The name simply indicates the locality of the Assembly on Dymchurch beach; and possibly the whole business of the Ports may have been transacted at Shepway till it came to be hopelessly blocked out from the sea, and Brodhull became much more convenient. The earliest record we possess of its session is in 1392, but there is not the slightest hint of its being then a new thing.

The Custumals of each Port had long afforded the Barons a code which sufficed for general use, and must

here be briefly noticed. Independently of the evidence of an ancient English confederation supplied by the Court of Shepway, these By (or Borough) Laws carry an argument of their own. Variations had crept in at different places and times, but they all bear unmistakable traces of a common origin, and that origin goes very far back. With respect to flight, the forty days, the year and a day, the holding of Courts from eight days to eight days, as to bloodshed, hamsoken, pledges, misprision of theft, and the law as to hosts, they are in strict analogy with the ancient English common law and the Treatises of Bracton, Britton, and Fleta.

The common features of the several Cinque Port Custumals may be thus stated. In all alike a severe penalty was provided for the refusal of the bailiff (or mayor when he came to have that title) to take office upon his election by the freemen. His chief house was to be pulled down, or at least he was to be ejected from it. When in office he was, in all alike, assisted by a body of twelve 'Jurats' and, as time went on, by a 'Commonalty,' or Common Council, elected in different ways at different Ports. Criminals adjudged to death were not always executed by the bailiff or his serjeant; for at Dover the accuser must be the executioner, and at Romney the accuser must either hang the felon himself or find a hangman. At Dover, when condemned, the felon was thrown over Sharpness Cliff, at Sandwich buried alive in the Thief's Down at Sandown, at Hastings drowned at the West port of the towff, towards Bulvarhythe, and at Fordwich at the special wharf reserved for that purpose. At Dover thieves were exterminated by a sure process. As the culprit, on a

second offence, lost his ear and had to abjure the town, any one found in the town without that organ was put to death; nor was he much better off in the other Ports. In all of them a felon flying for refuge, if he behaved well during residence, could only be recovered by the town or county to which he belonged, under the mandate of the Lord Warden. In all alike, as in other boroughs, a stranger could acquire the franchise, if he was a man of 'good guiding and conversation,' by residence of a year and a day, and without residence by payment of a fee, generally 40*s*.—at Sandwich also by purchasing a free tenement or marrying a freeman's daughter. Lastly, the ancient law of Withernam was in common use at all the Ports, for redressing wrongs done to their inhabitants either by other Ports or by strangers. It should be borne in mind that, though the language and the nomenclature of offices are comparatively modern, the Custumals are adapted from very much earlier forms.

It remains to explain the application of the term 'baron' to the freemen of the Ports. Nothing helps us to understand it better than the fact that the title belonged officially, from the first and for some ages, not as in London and elsewhere, to special municipal officers or representatives of the whole body of citizens, but to every freeman as such. It was not till the Middle Ages had quite passed away that the freemen came to be practically lost in the corporation, and the title which had for ages been common to all freemen to be appropriated by the mayor, jurats, and members of Parliament. Though the right of the freemen has sunk into oblivion, the title has remained, and still remains,

to the members of the corporations and representatives at Coronations. As to London, out of the whole body of its very numerous charters given in the 'Liber Albus,' the title of 'baron' is only found in two cases, and in both (one in the reign of John and the other in that of Henry III.) it is applied only to the aldermen, who are to choose a mayor out of their own body. The charters are always granted to the *cives* of London, to the *barones* of the Cinque Ports. We must attach neither too much nor too little importance to the fact, and must distinguish the looser use of the word from the official use.

It is admitted that the title was at first only held by the Portsmen in common with the citizens of several other places, as that of a responsible man in a privileged community, of a 'baro' or 'vir' of some dignity, but of course not in the least in the sense of a 'baron,' such as the word came to mean in the twelfth and thirteenth centuries. When the separation of the greater tenants-in-chief from the less began to take place, accompanied by the restriction of the title of 'baron' to the former alone, the anomaly of styling townsmen 'barons' became so marked that it fell out of use. Even for the aldermen of the City of London it became in the thirteenth century obsolete as an official title, though we find an isolated case as late as 1320: but it continued to attach itself to the Portsmen in a wholly different way, and for a different reason. It was a badge of their distinction as joint tenants of baronies by a special military service done to the Crown. It occurs in modern as well as ancient charters, in custumals, records, law-books, Acts of Parliament, histories; and it is used at Corona-

tions and writs of summons to Parliament, collectively and individually, applying even to the corporate Limbs or Members in the same manner as in the case of the original Head-Ports.

In point of commerce the Ports had been making a steady advance all through the reigns of the Norman kings and of their immediate successors. We cannot be sure of the right interpretation to put upon the threefold increase of the royal dues paid at Dover between the time of the Confessor and that of the Survey. It has been taken to represent the rapacity of the Conqueror,—for some part of the town had been burnt in the interval, leaving fewer people to share the payment. The increase at Sandwich is even greater; but here the number of inhabited houses had largely grown during these years. The truth probably is that the vast increase of intercourse with the whole of the northern coast of France, which ensued on the Conquest, gave a rapidly growing revenue both to the King and the Portsmen. Even in Stephen's reign, though some check to regular commerce must have occurred, there was no such recurrence to piracy and nautical anarchy as there might have been had a disturbance of this gravity occurred a little earlier or lasted a little longer.

The Crusading force which formed the Siege of Lisbon in 1147 affords a remarkable illustration of the times, an instance of order in disorder. On this occasion the 'ships of Kent' were engaged, and the Premier Cinque Port figured conspicuously. The affair was conducted with an amount of disciplined vigour which could hardly have been expected, being undertaken quite independ-

ently of any constituted authority, by a mixed force, a leading portion of which was formed by the seamen of Hastings and Southampton, and by a body of men who went by the name of the 'Vituli.' These were members of a clan of independent nautical followers of Robert Earl of Gloucester, who do not appear on this expedition for the first time, and may well be taken to suggest the idea of what the Cinque Port men might have become had not a reign of order like that of Henry II. succeeded Stephen's tumultuous times. In one way at least Hastings asserted the dignity of its position. On board the squadron which that Port contributed sailed one of its priests, who, when Lisbon was taken from the Moors, was selected to fill the episcopal throne of the city, a recognition no doubt of the useful services of his countrymen from the grateful Alfonso, who had recently become the first King of Portugal.

The cause of order upon the highways of the sea was greatly assisted at this period by the fact that the German and Scandinavian peoples on the Baltic were forming into civilized communities, and the latter were learning to mind their own affairs instead of disturbing the progress of their neighbours. London had begun to encourage the German merchants who at a later date were so much concerned in the Hanseatic Confederation, and before the end of the twelfth century the germs of that wonderful institution had taken shape. With Henry II.'s reign began a great increase of trade with Flanders, and a still greater increase of the trade with Aquitaine in wine, both of which brought wealth to the Ports, and enabled them to take the place which we are now about to examine.

It may create surprise that the Cinque Ports did not come to the front under Richard I., who was in some sort their patron, and whose Crusade represented a great development of sea forces. The bulk of the shipping however which conveyed the King's army to Palestine was collected from the South and West of England and from the continental ports of the House of Anjou. These were much larger than the ships of the Cinque Ports, which never attained to any great size; nor could their stipulated service be stretched to the extent which was now required. They were confederated for quite different purposes, and formed in fact a naval militia, a home squadron, the business of which was to guard the Narrow Seas during the absence of their king.

Two only of the secular buildings erected in the period here treated still remain to tell their own tale, Dover Castle and the Yprès Tower at Rye. William of Yprès, Earl of Kent, Stephen's Captain of mercenaries, was the builder of this little castle, which, before the town was walled, was sufficient to shelter the garrison of a small place from marauders, and to serve as a watch-tower. It is hard upon the memory of a man who certainly does not deserve much sympathy, that the vulgar should innocently burlesque his name by their pronunciation of it as 'Wiper's Tower.' No walls or gateways of this period will now be found at any of the Ports. Dover alone was certainly walled in Norman times, probably not long after the building of the castle; but every trace of the Norman erections has disappeared. They seem however to have been a leading feature of the Norman æra, and to have formed

part of the Conqueror's plan for making Dover his centre of military defence. Having to provide 21 ships—an additional contribution of one since the Survey of 1086, —the town was divided into 21 wards, and had 10 gates, the last of which lingered on till 1776. They were named Eastbrook, St. Helen's, Postern, Butchery, Severus's, Snargate, Adrian's (or Upwall), Cowgate, St. Martin's, and Biggin's (or Newgate). A useful arrangement was devised by which each ward was compensated for the expense of providing its stated ship-service to the Crown by a licence to employ a packet-boat plying to Witsand.

The ecclesiastical remains, as might be expected from the great impulse given by the Conquest to the monastic bodies, are more numerous and important than the secular. We could not expect to find any at oft-battered Hastings. At Sandwich, though the abounding prosperity of the place noted in the Survey could not have lasted throughout the period treated in this chapter, there were spirit and taste enough amongst the Barons and the monks to erect the handsome Romanesque church of St. Clement's, the tower of which is one of the finest things in Kent. At the end of the twelfth century, in spite of the decline which had commenced, monastic buildings, especially the Hospital of St. Bartholomew, begin to appear; and the latter, a very interesting institution, having been protected at the Reformation by its usefulness, remains to this day. It may be here noticed that the sinking away of the Sandwich contingent between the eleventh and the thirteenth centuries has hitherto attracted no attention, and indeed has been ignored on the supposition

that the 'like service to Dover,' mentioned in Domesday Book, was only a general statement for a service 'of the same kind.' This is most improbable. In point of fact the change from 20 ships to 5 very aptly illustrates the gradual processes described in Chapter II., which were only a continuation of those which had depopulated Richborough, but in a very different degree; for Sandwich did not sink below a certain point for many centuries. It was still a rich and important town even in the fifteenth century, when its port began to collapse altogether.

Fire and sword, time and the Reformation have dealt hardly with the seven churches of Dover. Of these St. Martin le Grand, the mother-church of the rest, belonging to the House of Canons already mentioned, was far pre-eminent, as we may judge by the well-known fact that the priests of no other church dared to sing mass till the peals of St. Martin's announced that its priest had commenced. The monastery is still an interesting ruin, and what is left of it is carefully preserved. St. Mary's still boasts its fine Romanesque tower and some other early work; St. James's also a small portion, of the same period. Even that perhaps is due in the last case to St. James's having been used from time immemorial for an office, where the Lord Warden transacted business as President of the Courts of Admiralty, Chancery, and Lodemanage (or Pilotage). Of the other five churches no relics remain; but the unique gem which Dover possesses within the castle, and Hubert de Burgh's noble Maison Dieu, may compensate for any losses.

At Romney, which is said to have been divided into

13 wards, and where at the time of the Conquest there were five parish churches and an Hospital, showing what a considerable place it had already become, there has been but one church for many centuries; but it is one of the very finest in Kent, with a grand Romanesque tower, vying with that of St. Clement's at Sandwich. In the same manner at Hythe, one ancient church, also in part Romanesque, alone represents the four which were once required, in addition to the 'fair abbey,' for a town two miles in length. The interesting old church at Rye can hardly be classed with those of the Five Ports, since very little of it, if any, can claim so early a date. Neither of the 'two Ancient Towns' had at the Conquest attained to the population or importance of their seniors, nor, after that time, were their ecclesiastical lords and patrons, the abbots of Fécamp, however rich, likely to spend their wealth in England like the Archbishop of Canterbury and his monks. Both towns were however making great strides at the end of the twelfth century, in unconscious preparation for the task awaiting them and their brethren.

CHAPTER V.

THE CINQUE PORTS AT THEIR PRIME.

'The Royal Navy of the Cinque Ports'—The Members or Limbs—The King's ships—Battle of Dover Straits—Henry III. and the Ports—The Ports join Simon de Montfort—The two Winchelseas—The Navy of the Ports and the Welsh war—Charter of Edward I.—Battle of St. Mahé—French attack Hythe and Dover—The Yarmouth feud—The Scottish war—Edward I. settles the system of the Ports—Admirals—'Sovereignty of the Seas.'

THE instrument is now ready for use, and its work lies before it. In other words the Ports had reached maturity; and the commercial occupations which had formed their chief training, now become quite subordinate to their military duties. For considerably more than a century we are to follow the 'Royal Navy of the Cinque Ports' just as if it were the Royal Navy of England; and it is very generally spoken of as such. This way of speaking, though technically incorrect, is not far off the mark. It will be right then to distinguish the two forces from one another, to inquire what kind of ships the Confederation brought into action, what proportion each Port supplied under changing circumstances, what assistance each derived from the members which it summoned to share its burdens and complete the general coast-system; in short,

to muster the little fleet, and inspect its able seamen as well as the mists of time will allow us to make them out.

The representations of ships on the seals of the different Ports, and the picture of William the Conqueror's invading force in the Bayeux Tapestry, have generally been taken to decide the character of the so-called 'ships' which upheld the honour of England in the eleventh, twelfth, and thirteenth centuries. Many of the seals date back to the latest of these centuries, and the Tapestry is certainly faithful as regards the earlier. From these authorities, supported by many others of less value, and really contradicted, though sometimes supposed to be, by none, we learn that the 'ships' (*naves*) were nothing more than great boats, perhaps partially decked or at least fitted with false or temporary decks, and rigged with one mast and one large square sail. It is very doubtful if any of them exceeded a burden of 50 tons, and in the earlier times the large majority fell no doubt considerably short of that size. The normal burden of the Hastings ships seems to have been 20 tons. The bow and stern made each a huge curve upwards, and when the merchant or fishing vessel had to be turned into a man-of-war (*gent de guerre*), each of these formed a support for one end of a 'castle,' a square open box, the other end of which rested upon temporary stanchions fitted into the ship's timbers. Of course these fore-castles and after-castles might be of any size, strength, and ornamental appearance; but they could be readily rigged up on occasion. The strong, stout mast, easily supplied, like the timber of the ship, from the neighbouring

Weald, carried a third and smaller 'top-castle,' which was hoisted up before joining battle, the prototype of the modern 'top.' There were no rudders, the vessel being steered by one, or sometimes two, oars, worked over the quarter. Amongst the seals there is only one in which any provision for rowing oars can be clearly made out; and though the Ports had certain rowing galleys, like those of the King, it is more than probable that their regular 'service' of 57 ships was formed of vessels designed to keep the sea, and to depend upon their sails. There would be oars on board, especially for calms, like the 'sweeps' of modern small craft.

The strength of the bow facilitated the tactics, dear to the English, of running down the enemy, a process which the seal of Hastings actually represents, the head of one such enemy being displayed most unartistically upon the solid wave, and his ship going down. There are no oars to be seen on board either of these ships. Both are under sail. The strong bow was also useful for beaching and hauling up, at which the seamen of that day were probably as expert as the men of Hastings are now. They were in short nothing more nor less than the very same vessels which were used for merchandise and deep-sea fishing, fitted out as men-of-war when ordered on the King's service. They were then armed with cross-bows and bolts, a favourite weapon on board ship, since a 'rest' for the bow was ready at hand, with long-bows and arrows, swords, axes, and spears; and they no doubt stowed away a large supply of ballast,—for we find that wine-ships suddenly turned into men-of-war, were considered in their proper trim when they had disposed of half their cargo.

The size of these ships is fairly well determined by the regulated number of the fighting crew, a number not ascertained by the charters, which only require that the Ports should provide 57 ships in all, but by the 'Ports Domesday Book,' a most valuable record of the early part of Henry III.'s reign, long lost, except as to certain portions existing in contemporary copies. Each ship must carry 21 men, with a boy, '*garcione qui dicitur "gromet"*' (a groom or stripling), who seems to be additional to the number of men; and as at a rather later date we find that each ship had a 'rector' or master, and a 'constable' or boatswain, the sum-total of the officers and crew would amount to 24 in each ship, and to 1,368 in the whole fleet. Though subsequently altered from time to time, this may be considered the normal force of the Cinque Ports, in aid of which the King probably furnished on occasion a contingent of troops. Its meagre proportions may surprise us, matched, as the fleet was at times, against hostile forces greatly superior; but the balance was turned in favour of the Confederation by the habits and traditions of centuries quite as much as by their innate aptitude for seamanship; and the *esprit de corps* of a Royal Navy would be heightened by the friendly rivalry of the different Ports, so long as they were under proper command; and this was generally the case. Nothing in their whole history is more remarkable than the way in which the men of the different Ports pulled together.

Consummate however as their seamanship and courage no doubt were, and with vessels built at least as well as the Vikings' boats, or the very similar Nor-

wegian craft of the present day, the Portsmen must have stood a poor chance in gales of wind on a lee shore. The violent storms, heavy seas, and cross tides of the Channel would try to the uttermost small vessels with a single square sail, and great masses of woodwork at the rising bow and stern. If the stars were clouded there was no compass to guide the 'rector' through the dangerous shoals; oars were a poor substitute for a rudder, even in the deftest hands; and the use of the lead-line, without charts, was of limited application. Hence the multitude of wrecks, the wholesale disasters which overtook the early mediæval flotillas, and which the chroniclers note almost as a matter of course. These sensibly diminish under the improved navigation of the later mediæval times.

It was under our kings of the fourteenth century that the Cinque Port ships experienced both enlargement and improvement, and very much through the gradual adoption into the service of 'cogs,' a species of larger and more roomy ships coming into use amongst the merchants of the period. They are found here and there in the fleets of the thirteenth century, as if on trial; but in the next age Edward III. and his gallant sons made them fashionable. The 'Cog Christopher' and the 'Cog Thomas' were the champion ships of the English in their time. With larger vessels came the need for more masts than one, and a prolonged stem which did duty for a bowsprit; nor could the use of fore-and-aft sails have been long delayed after that point had been reached. By the end of the thirteenth century the rudder had become common, and the compass soon followed. The stage of great boats had

merged into that of small ships. Still, as we shall see, even then the ancient vessels had to form in line with the more modern, whenever a national levy was called out. Harbours constantly shoaling could only partially enable seamen to follow the fashions. Even in the days of the Spanish Armada the chief strength of the English, though they had a few good-sized ships, lay in feeble craft, little better than these vessels, but manned by brave and skilful sailors of the old sort, which, like so many wasps, stung the Spaniards to death.

The 'Members' which shared the glory of the Head-Ports ought never to be forgotten in recounting the Cinque Port services. The Head-Ports had two chief reasons for gratifying a natural desire on the part of these smaller places to become sharers in their franchises as well as their honour and profits. They were thus able to compensate for their own deficiencies and in some cases decay; they were also thus enabled to extend their jurisdiction over the whole south-eastern coast of England. Under their chartered privileges as to 'wrecks,' the advantage of possessing Admiralty rights over all that part of the coast of Kent which faced the sea—commencing, that is to say, from Shellness Point in Sheppey Island, and over nearly half the coast of Sussex, stopping at Seaford,—was very great. This continuous line of coast carried with it a large proportion of the neighbouring shoals, prolific in wrecks; and it was no small gain to the crews of the fleet to find themselves at home wherever they might be driven, within the above limits, by stress of weather or the enemy.

We cannot now recover the exact dates when these

Memberships were formed, but they could not have preceded that of Winchelsea and Rye, and probably began very soon after those Ports had set the example. We might well expect that the sudden burst of nautical coast-life which marked the reign of John might give an impulse to the movement; and indeed not long afterwards (1229) we have a copy of the names of the towns already affiliated, taken from the Port Domesday Book. Their contributions of shipping will appear as we proceed. The apportionment of ships to the Head-Ports fluctuated; but that given in 1229 is authoritative for the time, and lasted pretty well through the century. The Premier Port and 'two Ancient Towns,' commonly called the 'Western Ports,' supplied 21 in the following proportions: Hastings 6, Winchelsea 10, and Rye 5. The remainder were called the 'Eastern Ports,' of which Sandwich supplied 5, Dover 21, Romney and Hythe 5 apiece.

The relation of the King's galleys and long-ships to the Cinque Port fleet is very obscure. It has been thought that these vessels, a sort of large fighting row-boats, stationed in different English ports, were the standing naval force, to which the Cinque Port fleet was subsidiary. This was certainly not so in the thirteenth and great part of the fourteenth centuries, and it is most improbable that it was so in earlier times. The chroniclers and Parliament (when it begins to speak) treat the ships of the Cinque Ports as the chief standing naval force of the realm. It was a very rare, if not unheard-of, event when a king could be said to 'live of his own,' and the King's ships caused much too great a drain upon the royal revenues to admit of their estab-

lishment being retained in any due proportion to the national wants. The Cinque Port Service, such as we have traced it, was the only strong, efficient, and self-supporting force on which the country could depend. Thus the King's vessels were the real auxiliaries, not the principals. They were kept by twos and threes in different harbours, but more especially at Winchelsea and Rye, where at one time there were special docks for building and repairing them.

The function of these vessels seems to have been in ordinary times rather that of local guard and revenue service, to perform which some sort of skeleton equipment was retained, and filled in when war-service was required. The Cinque Ports were often ordered to send officers and seamen for this purpose, who returned to their work when the service was over and the King's ships hauled up on shore. Thus the royal crews formed a scattered body, composed of separate items only occasionally united, not much known to one another, nor used to working together, connected with localities rather than with a general service, while the ships were the private property of the King, and inferior to the 'Royal Navy of the Cinque Ports' (the technical term often used in the local records) in every qualification for a national sea-force. When a fleet of unusual size was required, and an embargo put upon trading vessels in all the ports of the kingdom, the two forces found themselves alongside of one another, but by the time they had realized the fact they were again dispersed. Even in 1347, under the 'King of the Sea,' his ships only formed a thirtieth part of the great levy of armed ships collected to form the Siege of Calais and the cover-

ing squadrons. The Cinque Port fleet was five times as large. There may have been special reasons for the smallness of the King's private force on this occasion, but it is one of the very few cases where we have the means of making a comparison.

It is not likely that King John intended to bring the Cinque Ports to the front in the way which the circumstances of his reign brought about; but with all his faults it was his military spirit and the administrative capacity of the officers whom he selected, which called forth the energies of the seafaring populations throughout his wide domains. The Cinque Ports only shared a general movement, but when the rest failed they survived; when pay could no longer be found for mercenaries, the stated Service of the Ports remained. The great event which constituted them the right arm of England occurred in the fifth year of his reign. This was the expulsion of the King from his Norman dominions—a pregnant event which opened an entirely new chapter in the history of England.

So frequent now become the notices of the Cinque Ports that we can only mention the more important and observe their significance. From the first moments of the reign, when John attends to the complaint of the 'Barons of Hastings,' to the close of it, when, deserted and discomfited, he shelters his dishonoured head amongst the still loyal Portsmen of Dover and Sandwich, we are in direct contact either with the Confederation as a whole, or with its component parts. In 1202 commenced a series of frequently repeated orders to the Barons of the Cinque Ports to 'guard the seas.' These orders, already no doubt customary in former reigns,

have been much relied upon by Selden to prove the argument of his *Mare Clausum*. In 1205 occur the separate charters to each of the Ports which have been already noticed. The 'Barons of Hastings and of the Cinque Ports' were to be propitiated and launched against France by the exasperated monarch whose operations by land had been so disastrous. Many circumstances, however, prevented action from being taken. With the dispersion of the troops and ships which had been collected vanished the last hope of recovering Normandy.

The loyalty of the Cinque Ports to a king whom no one could respect was now to be severely tried. It has been generally stated that they remained faithful to him throughout his reign. This was not so. In 1208, in consequence of the Pope's claim to appoint an archbishop of Canterbury against the King's will, John had been forced into a conflict which taxed his whole strength; the kingdom had been laid under an Interdict, and the Barons of the Ports in a moment of alarm threw off their allegiance. But the King was at the head of a paid force of some fifty galleys, which brought them to order. They were now put out of the King's peace, and had to 'buy back his favour,' at what price we are not informed. At any rate, save that Hastings, under French pressure at the end of the reign, once more faltered, they not only remained true to the last, but were the agents in the only successful deeds which relieve the gloom of this unhappy time. It would seem that it was by their vigilant guard that the Excommunication which followed the Interdict was so long prevented from making its way across the Channel, and when Innocent III., in the plenitude of Papal arrogance, took the further

step of entrusting the execution of his sovereign decrees against the King of England to the King of France, the Barons of the Ports forgot everything else but their national spirit. Like the great English barons who had their own objects in view, like the King himself in his desperation, they took a practical view of the case. Accepting the patronage of the Pope as the least of two evils, they now eagerly entered into the war with France, served the King on naval expeditions, and gained some trifling successes; but above all they formed the chief portion of the fleet, '*optime munitæ*,' with which William Longsword, their old Warden, performed his notable exploit at Damme. Though not so complete a blow as it might have been, this timely victory broke up for that year the campaign of King Philip against the combined forces of the Empire and the Flemings. It cannot take rank with the subsequent great victory of Dover Straits, but it gave a noble promise of what the Cinque Port Service was to be in the future. Their seamen had now learnt to pursue the French into foreign ports, to receive discipline at the hands of the King's chief officers, and to measure themselves against a far superior force. This was their first great military lesson.

The position taken up by the Cinque Ports during the next eventful three years is obscure. They are mentioned as guaranteed in their franchises along with London (and those two alone specifically) in Magna Charta, when it took its final shape under Henry III.; but their name does not occur in the original charter. John is said after he had signed it to have visited the Ports for the purpose of conciliating them. Perhaps they

had been divided upon the questions at issue between the King and the barons of England—an attitude we might fairly expect, when we recollect their connection with the Royal House on the one side, and on the other their intimate relations with London, with Geoffrey Fitz-Peter, their old Warden, who may be said to have laid the foundations of the Charter, and with De Burgh, also an old Warden, who was one of those by whose advice it was issued. We may also associate with Hubert's influence the peculiar attitude taken up by the Cinque Ports at the final trial of their constancy. It is difficult to admire them too much for their gallant refusal to support Lewis of France when the great mass of the baronage of England invited him to take the place of the faithless John. With sailorlike straightforwardness they determined to stand by their own Sovereign, and leave the question of his conduct to the future. It was the first and only time that London and the Cinque Ports took opposite sides. By a letter from John, written just before his death, we learn that the Barons of Hastings adopted an independent line of their own, but we hear no more of it afterwards. The King says he knew they had been placed under constraint by Lewis.

Thus the Barons of the Cinque Ports advance to their place in the roll of English heroes. Perhaps till now the Confederation had not, in respect of its Crown service, been looked upon as much more than a trustworthy force for guarding the seas. Under the administration of William Longsword, Geoffrey Fitz-Peter, Hubert de Burgh, and we may add, John's clever naval administrator, Archdeacon William de Wrotham, it was now called out into the foremost rank of the

national forces, and became their acknowledged head. From these men had been propagated a spirit of military enterprise, in close union with devoted loyalty to the House of Plantagenet. When John had miserably sunk to his grave, and the English crown was to be fought for between his child of ten years old and the martial Lewis of France, served at sea by a naval commander of tried courage and ability, the place of the Cinque Ports was with the Earl of Pembroke, Peter des Roches, and Hubert de Burgh.

The immediate prospect was dark and dismal. Lewis had been escorted by a powerful fleet under Eustace the Monk in the spring of 1216, had reduced Hastings and Rye, and landed at Stonor. He had next burnt Sandwich—an honourable tribute to its fidelity,—and soon, by the help of the English barons, overrun Kent and taken possession of London: the diminished Cinque Port fleet had been helpless in the face of immense odds. Shortly before John's death Lewis sat down before Dover. The garrison was to the last degree feeble and ill-provisioned, but the presence of a great man made up for all deficiencies. Hubert de Burgh had been once more placed by John in command of the Ports as a last resource in his distress; he had thrown himself into the castle, and had gathered round him in Dover harbour the remnants of the Cinque Port fleet. Trained early for office in the great times of Henry II., and in knightly prowess under Richard, Hubert is now universally admitted to have been one of the ablest and best men of his age. His courage and endurance in defence of the last hope of England were finely matched by the conduct of Stephen de Pencestre, the

father, perhaps, or grandfather of the still better known Constable of the same name who flourished under Edward I. The place is still shown where Stephen's troops made their way into the Castle, and effected a rescue in spite of the besiegers.

Lewis now discovered that he must raise the siege. His father's remark is well known. 'By the arm of St. James,' said the French King; 'my son then has not obtained one foot of land in England.' He judged rightly. While Lewis was thus beaten off, Eustace's fleet was dispersed, partly by a storm, partly by the harassing attacks of the Cinque Port ships; and the opportune death of John turned the scale against the French and their English allies. Next year the exertions of Blanche of Castile, Lewis's brave wife, placed Eustace once more in command of an overpowering fleet, full of knights and soldiers, with which he was to pass over in all haste to the support of her husband. Already beaten by the Earl of Pembroke at Lincoln, Lewis was in extreme danger; this was his last hope. Hubert and the seamen of the forty Cinque Port ships in Dover harbour were well aware of it. They knew their man, the skilful and daring renegade who had learnt his work amongst themselves, the *pirata nequissimus*, as the chroniclers not unjustly call him, and decided that he must be beaten at any cost before he could land the troops. His success might have turned again the fortune of the war. Of this battle, remarkable not only for its seasonable occurrence and the brilliant courage of the victors, but for its excellent seamanship, we happen to have several fairly accordant accounts.

The French fleet consisted of about a hundred

vessels, the troops being under the command of Robert de Courtenay, a knight connected with the royal line of France. The wind was fair, and they had made considerable progress on their way to the Thames, when Hubert de Burgh, associated with Philip d'Albini, who had been specially appointed for the service, having descried them from the cliffs of Dover, dashed out with his little squadron, regardless of odds, with a view to cut them off. Instead however of making a direct attack, and attempting to cross their bows, the English kept their 'luff'—a word in use then as now—till they were well astern of them. This occasioned the scornful derision of the French commander, who tauntingly cried out that the 'thieves' were bound for Calais, expecting to find it undefended. He soon found out his mistake. Having got well to windward, the Cinque Port ships suddenly put their helm up, and stood right down on the Frenchmen, who being unprepared for the manœuvre and heavily laden, were at once thrown into confusion. Though they fought well, they had no chance from the first; and probably, with troops on board, were not much more than a match under the best circumstances for the handy English craft. Some were run down and sunk, others grappled and boarded; for their active assailants had been ordered beforehand to jump on board and cut the halliards, so as to let the sails fall flapping down upon the crews. These tactics, one might well suppose, were quite good enough, when pursued in a seamanlike manner, to account for victory; but we are told that each ship had also been provided with heaps of quicklime, which at the proper moment was thrown from to windward with blinding effect

into the eyes of the enemy. It is inconceivable that in such a *mêlée* of quick-moving vessels in a sea-way any great advantage could be gained from a plan which was often useful in the defence of castles; but, though nearly as dangerous to friends as foes, the very possession of such a resource may have animated the courage of the smaller squadron.

However this may be, the result was not inferior to the success of Trafalgar. Fifteen ships alone escaped—probably the van, which the English failed to cut off; the general was taken prisoner, and Eustace, being found concealed on board Courtenay's ship, was dragged out by Richard, a bastard son of King John, and summarily beheaded as a traitor. Having long been an English subject, and employed in situations of trust amongst the Cinque Ports, he could hardly have expected any better fate. Many gallant French knights, when they saw the case was hopeless, rather than fall into the hands of the infuriated victors, leaped overboard and were drowned; but a great many were taken and put to ransom, and many valuable spoils of war enriched the seamen. It added to the effect of this triumph that it was witnessed from the heights of Dover, and that a grand procession of the bishops and clergy who had taken refuge there, had time to form itself and meet the victors on entering the port with their prizes. The political effect of the victory was instantaneous. Lewis relinquished all hopes of the English crown, and hastily agreed to the treaty by means of which he made his escape to France. England was saved. We hear of no French fleets for several years. It was now, and at Damme in 1215—not at the end of the century,

as has been said,—that 'the courage of those sailors who manned the rude barks of the Cinque Ports first made the flag of England terrible on the seas.'

Thus opened the reign of the youthful Henry III., whose throne had been placed in security by the timely victory of the loyal Cinque Ports. His Council, directly after the battle, conveyed in glowing terms their thanks to the Barons for their 'frequent and excellent services both to the King and his ancestors;' but the point of the letter lay in the request that two of their 'Combarons' might be appointed to see that the King and the Ports each received their just share of the prizes. From this time forward we have constant references to the Portsmen in their capacity of 'guardians of the sea,' oftener still as supplying ships for conveyance of troops and royal personages, and as to the various maritime business of a reign full of petty activities. All notices of the many truces of the period are of course duly sent to them. In 1220, however, they show signs of insubordination, and are summoned to a Court of Shepway to answer before the King's judges a charge of ill-treating the people of Calais during one of these truces. A characteristic letter from Henry in the year when he came of age, and was beginning to plan his French and Gascon campaigns, praises the Barons for their loyalty, bids them muster at Portsmouth with 'all the service they owed,' and begs them as a personal favour, on account of the distance of the voyage, to double the number of days for which they were bound to serve without pay.

Again, in 1235, the Warden of the Ports and some of the Alards of Winchelsea are reprimanded for seizing

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some French ships 'against the King's peace,' but in this disorderly reign it is more difficult than usual to get at the right and wrong of such cases. And here it may be observed once for all that the greatest caution must be used as to the acceptance of the charges of 'piracy' freely made against the Cinque Ports in times past and present. Proceedings which might be justified by the pleas of legalized reprisals, royal orders, civil war, and excusable errors—to say nothing of a multitude of unproved complaints,—are vaguely classed together under an odious name which has itself borne different meanings in different ages. The following pages may help us to discriminate. Three years later the Barons were addressed in the same grateful language as was used in 1217, and almost as arbitrators. Henry and his brother Richard had quarrelled over the marriage of their sister to Simon de Montfort. The Barons were on no account to obey any orders from Richard, but to send four of their best men to hear what the King had to say.

In 1236 occurred the marriage of Eleanor of Provence with Henry III., on the occasion of whose Coronation the Barons enjoyed the 'Honours at Court,' already mentioned as 'ancient' in 1189.

This is noticed by Matthew Paris in his well-known account of the ceremony. He tells us how the different hereditary officers performed their customary duties, how the citizens of London did the duty of butlers, and those of Winchester superintended the kitchen; and how the Keepers (*custodes*) of the Cinque Ports carried the pall over the King, supported by four spears; 'but the office was not performed this time without a slight

degree of opposition.' This remark appears to refer to the claim of the Lords Marchers, John Fitzalan, Ralph Mortimer, John de Monmouth, and Walter de Clifford, who were overruled, and never seem again to have interfered. The records of nearly all the coronations after this are to be found in the Cinque Port Register, where a full account of the ceremonies used on this occasion also appears. The place at the Coronation feast on the King's right-hand was perhaps a still more important feature; nor, age after age, was any part of the Barons' privilege ever omitted until, at the Coronation of George III., an attempt was made to deprive them of their place at the feast 'at the right side of Westminster Hall, next the wall, above the benches of the Chancery.' This was very properly treated by them as a wrong, and they consequently declined to sit at the feast at all. No such infringement of their rights took place at the Coronation of George IV., unless indeed it was a mistake, as it probably was, to allow the Lord Mayor and Aldermen of London to sit nearer to the King than the Barons. From the records of Romney we learn that the total expenses of the three Barons sent up by that Port at the Coronation of Henry IV. amounted to 9*l.* 11*s.* 4*d.*, or some 140*l.* of our money. This included the hire of their horses, their living in London for ten days, and their robes. Each wore a gown and hood of scarlet, with embroidered sleeves. The division of the canopies, staves, and bells, used at each Coronation, was the subject of minute regulation amongst the seven Head-Ports.

It was by no means easy to destroy the hereditary loyalty which had stood the severest tests; but Henry's shiftless policy and obstinate refusal to be guided by

the wishes of his subjects gradually had that effect. He rushed into a war with France, by no means without excuse, but without carrying his people with him. Soon after he had landed (in May, 1242) and discovered the hopeless nature of his enterprise, he wrote to the Barons of Hastings, and similarly to those of each of the other Ports, and to the 'approved men' of Dunwich, to say that the injuries he had received from the King of France had forced him to break the truce, and that he reckoned on their aid in the war by sea and land. They are charged by their fidelity and regard for his honour to harass the coasts of Britanny, Normandy, and Boulogne by fire and sword, but to beware of injuring churches or English subjects, and especially the people of Bayonne. They are also to be sure to render to the King the fifth part of all prizes, which they knew to be his due. 'Do us such good service that we may love you more and more for ever.' They are to take counsel with the Regent, who was the Archbishop of York, with the venerable Walter de Cantilupe, and with Bertram de Criol their Warden, as to their conduct. These officers are also directed to see they obeyed the above orders, and that they paid the King's share of prize-money into the Exchequer. Next February the mandate to the Ports is repeated, and here their 'galleys' are specially mentioned. In the following July, peace being then made, they are ordered to Bordeaux to fetch the King back to England.

A great deal had happened in the interval. Matthew Paris accuses the Barons of the Cinque Ports of having obeyed the King's orders in a piratical manner; and they are even said to have so far exceeded their instructions

as to intercept and murder their own fellow-countrymen. There may well have been some ground for the charge; for the terms of their Instructions were evidently calculated to demoralize such a force as that of the Ports was as yet. To carry fire and sword along the enemy's coasts meant in practice a general dispersion of the ships and a perilous relaxation of discipline. They were overmatched and they were desperate. Lewis IX. had far larger nautical resources at his command than Henry; for he had his people at his back. Calling out the squadrons of the Count of Britanny, and of the 'guardians of the Norman coast and of Poitou,' along with the seamen of Wissant and Calais, he ordered them to repel the attacks of the 'raging marauders,' and spare neither life nor goods. The Portsmen soon gave up the offensive, and took to their harbours. By no means acknowledging the crimes laid against them by the chronicler, they tell the Regent that they have three times been repulsed with an irreparable loss of ships, men, and goods; they are utterly exhausted; their fishing is at a dead stop; the Count of Britanny, at the head of a great fleet of Bretons and Poitevins, waylays all English ships passing to and from Gascony; those 'pirates' even intercept pilgrims on their return home; the King was in reality a mere prisoner shut up at Bordeaux. As their own resources have come utterly to an end, they must have ships and money from the Exchequer if anything more is expected from them.

This was plain speaking, and the Regent, an old and trusty statesman, perfectly understood the force of it; for the Treasury was empty. He therefore lost no time in telling Henry that he must instantly make a

truce, and so escape from his troubles. This the King accordingly did, notifying the fact to the Cinque Ports. No one could have expected any other result. Unable to summon a general levy from the maritime districts, Henry had matched the gallant seamen of one corner of England, without national aid, but under promise of prize-money, against the whole strength of France, from Calais to Rochelle; yet they were quite ready to go on if only the means were provided. It is in fact the cry of a spirited navy which could no longer keep the sea supported by its own resources alone. What the nature of these three 'repulses' was we do not hear. The truce enabled the Ports to recover their strength. We only hear again of them on two occasions before the Baronial revolt,—in 1254, when, on the King's return from Gascony, they made him a present, and received a grateful letter of thanks, and in 1257, when they assisted him against the Welsh, and enabled him to raise the siege of Gannoc Castle.

There does not seem to have been any special reason, over and above the disgust which the Cinque Port Barons must have felt at Henry's mismanagement of their affairs, why they should have joined the constitutional party which Simon de Montfort now headed against the King. We must simply credit them with the honourable principles which led the nation generally to declare that Henry's maladministration, from which they had so severely suffered, should continue no longer. When Wales and Scotland were all but joined in strict alliance against England, and Parliament would nevertheless grant no supply for war, it was evident that a crisis had occurred. The mischief lay deep.

The King must be helped against his unworthy friends, and the nation must be called to counsel. The energy and ability of Earl Simon were familiar to those who had so often witnessed his public services, and the Provisions of Oxford, which gave him temporary power, were hailed by the Cinque Ports as well as by the Londoners with delight. The two communities—their momentary separation in 1216 long forgotten—became the Earl's chief support. Round the Tower of London and the Castle of Dover the struggle raged, more or less visibly, during the whole time of the Barons' War. We are enabled to refer the revolt of the Ports to about this time by the fact that Edward I.'s charter expressly names the 44th year of his father's reign (1259–60) as that in which the limit of the lands over which they might claim their liberties was settled. The Baronial party had soon after that year granted the Portsmen an extension of territory, at the expense, we must suppose, of the King's friends; and this of course could not hold after the war.

The first operation of the Council set up by the Barons at Oxford was to displace the Wardens of the Royal castles: Hugh Bigod, the new Justiciar, a man of high character, is perpetually before us in relation to Dover Castle, and for three years the game of snatching this supremely important stronghold from one another, and with it the command of the Cinque Ports, was played by either party, as each got the upper hand, with varying success. The preliminary fencing gives place to the real contest in 1263, when the King obtains possession, but has to relinquish it to Earl Simon. The Mise of Amiens handed it over to the King again,

but only in name, for the Cinque Ports held that they were not bound by the award, and they were now entirely committed to the Earl. This assumption of independence could not be neglected. It had to be dealt with by the strong hand, and that before anything else. Henry and Edward therefore, gathering together their forces, marched into Kent in haste, determined to make the reduction of the Cinque Ports the first object of their campaign. Relieving the siege of Rochester Castle and capturing the Castle of Tunbridge on their way, they arrived at Winchelsea. Their force was too great and Earl Simon too far off to admit of resistance; but the King was unable to obtain any supplies whatever from the Ports, nor did he 'take them to his peace' without insisting upon hostages for their good behaviour. Before the King and his son could take further steps, it was discovered that the Earl, reinforced by the Londoners, was on his way to rescue his friends; and the royal army had to march off to meet him more hurriedly than they came. The decisive battle of Lewes was the result. The royal cause seemed to be ruined utterly and for ever. A few days after the battle Henry de Montfort, Simon's son, took possession of Dover Castle, where Edward was placed in honourable confinement, and the Ports joyfully enrolled themselves in the front rank of the Baronial forces.

The great Earl, a virtual king, was now moving about with the captive monarch in his train, and in Henry's name issuing incessant mandates. London, vengefully lamenting the slaughter of her sons at Lewes, was at his service; and the Cinque Ports were instantly set to work to make large additions to their

shipping by building new vessels out of the 'tenth' levied upon Earl Simon's friends, the clergy. With these they kept the sea with all diligence, forming the Earl's advanced guard. The only enemy indeed he had to fear was the army collected by Henry's Queen, now mustering in force on the Flemish coast for the relief of her husband and her son. There was another reason why the fleet was of so much more importance to him than the army which he collected on Barham Down; he had to reckon not only with the Queen but with the spiritual powers which were drawn up on the side of the Royal Family.

The Popes, each in succession, had long made the superstitious Henry their easy tool, and, to do them justice, they proved that they did not forget him in his distress. Urban IV. showed himself well informed as to who were the real heads of the Earl's party by issuing four Interdicts, one which placed the Earl himself under the Papal ban, another Hugh Despenser, who had been sent to guard the coasts of Norfolk and Suffolk, another the Londoners, and a fourth the Barons of the Cinque Ports. These last were thus impelled to keep a good look-out for the Papal messengers, not only by their general allegiance to the cause, but by regard for their own personal safety. They were rewarded for their diligence. Fortunately boarding the dreaded vessel, they seized the bulls, which, torn into a thousand pieces, lost their dangerous properties in the salt waters of the Channel. This effectual blockade absolutely stopped the embarkation of the Queen's army. If anything were required to teach the future King the necessity of keeping the Ports loyal

to the Crown, these proceedings, of which, from the heights of Dover he was a distressed spectator, must have supplied what was wanting: we may trace the effects of it throughout his reign. Not long afterwards Edward was removed to Hereford. His escape and his victory at Evesham brought the Baronial rising to an end, and re-established the royal power.

For the Cinque Ports, whose importance to the nation had been raised higher than it had ever been before by the Earl's temporary success, this was a great reverse. That no less than four Barons had attended his rudimentary Parliament from each of their seven Head-Ports—no slight proportion of the whole—was itself a very strong indication of the place they had attained. Their young Constable and Warden had now been killed by his father's side, and London had fallen into Edward's hands, but to conquer the resistance of the Cinque Ports was perhaps the most difficult task he had to perform in the pacification of the realm. Winchelsea, which was independent of the vicissitudes of Dover Castle, had become the resort of Earl Simon's most devoted adherents amongst the Portsmen, and the Countess Eleanor, his wife, had found special means of attracting and encouraging them at that place. It had in fact become the focus of national disaffection to the King, and Simon, the eldest son of the late Earl, in the hope of even yet turning the tide of Edward's success, put himself at the head of all the Cinque Port ships which he could gather into the port. The capture of Dover Castle in October only made the seamen more desperate, and the King's subjects were their natural prey. What other people called piracy they called the rights of war.

Edward was thus defied for several months; his officers failed to reduce the rebels to obedience, and he was at last obliged to head a considerable force in his own person and take the matter in hand. All except Winchelsea now submitted; but it was not till March 1266 that he was able to include that Port with the rest; yet they were all received, without exception, on the most lenient terms, a proof as much of their necessity to the State as of Edward's clemency under repeated provocation.

The desperate act of the Barons of Winchelsea in defying the greatest warrior of his age, and holding out till their town was stormed, requires that we should pause for a moment to consider the history of the place. There is more individuality about this Port and its leading families than about any of its six fellows; nor does the distinction disappear till some time after the new town had superseded the old.

Its rise, as we have seen, had been sudden. The ambition of its inhabitants had been gratified by far outstripping their ancient Head-Port, and they had become almost the rivals of Dover without fairly counting the cost of grandeur. They had unfortunately placed themselves on an island, a mere strip of sand which was peculiarly exposed to the irruption of the sea, and could only be protected by a constant expenditure upon sea-walls. Trade flourished as their fine harbour became more and more celebrated, and quarter after quarter was added to their town, till it boasted of no less than 39 of them, built in rectangular sections, with a population of 700 householders. The town may have specially benefited by the opening

trade with Gascony in wine, since when the people were transferred to the new site they were certainly provided with large vaults for the trade, some of which are even yet to be seen. The necessities of embankment suggested walls and gates for defence; and the Barons had already achieved distinction, since Winchelsea had shared with Dover the chief honour of the victory over Eustace the Monk.

The misfortunes of the place began, though we can see no connexion between the two things, with Henry III.'s resumption of the grant by which Winchelsea and Rye had been made over to the abbey of Fécamp. The deed of 1247 conveying another estate to the abbey in exchange, recites that this course had been made necessary by the unprotected situation of the towns, and the incapacity of ecclesiastics for military pursuits; but after the experiences of the late French war the King may well have had other reasons. The Barons having got rid of their lords, and holding immediately of the King, now obtained from him the farm of their town, —no slight favour, for it was the coveted sign of self-government. In 1250 and 1252 the series of storms and sea-inroads which brought about their ruin began. On the first occasion the town lost 300 houses; of the second Matthew Paris writes thus:—

> At Winchelsea, a place extremely important to the English, and especially to the Londoners, there was a great inundation, the sea submerging mills and houses, and drowning a large number of the inhabitants.

In 1254 the sea again broke in. Yet it was after all this loss and damage that Winchelsea became the

headquarters of Earl Simon's partisans, and defied the victorious Edward himself. We have few details of the storming of the walls. There was, we are told, a great slaughter, but not of the 'multitude.' The refractory Barons paid the penalty. Constant danger had rendered them reckless. It is even said that they had intended to desert the place with their wives and children, and that, with them on board, had actually burnt Portsmouth, but put back again to their own port. It is probably a last echo of these irregularities, consequent on civil war, that we hear in the course of the succeeding year. Lewis IX. had complained of grievous injuries from the Ports, and Henry promises full satisfaction; 'but it is out of his power to infringe their liberties and customs, which have been confirmed to them by ourselves and our predecessors.' So immediately after rebellion was the old language resumed, just as if nothing had happened.

Edward's punishment of Winchelsea gave emphasis to the warning of the winds and waves. The few years which intervened before he became King convinced him that there had been more than enough of severity. The town, half destroyed by the sea and by the war, was no longer able to answer its purpose, and the people were brought too low to restore it. Having himself become Warden of the Cinque Ports and found an excellent Lieutenant in Stephen de Pencestre, he made a careful study of the whole subject of their organization, and saw what the present case required. Scarcely had he mounted the throne than he began to buy land for a new site, the nearest he could find to the old. This was the table-land of the peninsular pro-

montory of Iham or Higham, with steep banks, themselves no slight defence, and surrounded on all but the south-west angle by the sea,—perhaps as fine a site for a port-town as could be found in any country. He spared no pains, both personally and by the hands of able officers, to prepare the new town, so that it might be, with its 39 squares or quarters (which may still be traced, though most of them are now fields), its new churches, walls, and gates, a faithful copy of that to which the people had so long been accustomed. Just when the houses were ready, when new charters had been made out to convey the property to the old inhabitants, and when nearly all the people had been removed, at that very moment occurred what seems to have been the greatest tempest of the whole century. It did its work finally. In the fearful crash and inundation of 1287 the old half-ruined town was entirely swept away; the course of the river Rother was changed, and with it the whole face of the Romney coast. For many centuries no one has been able to point to any particular spot with certainty, and say:—'Here stood Winchelsea.'

As to the new town, it may be remarked that Edward had gained some useful experience in Gascony. That he did not construct it on the same lines as his Bastides and Villes Anglaises, radiating from a centre in which the public buildings were placed, was probably due to a well-founded belief that he should best attract the old swarm by offering them a new hive on the same model as the old. At Udimore, the residence of his friend, William of Etchingham, he was close at hand to superintend the work. Many of his writs

are dated from Winchelsea itself. Walls, gates, and churches rose under his own eye. It was on one of these visits that he was the subject of what some did not scruple to call a miracle. His horse, frightened at a windmill, leaped over a parapet, alighting on the side of the hill which sloped down precipitously to the sea. But being proverbially difficult to dismount, the King kept his seat, and contrived to save both himself and his steed. He was spared for work which no one but himself could do: but if he had taken the accident as an omen of failure, he would not have been wrong. He evidently designed to make his new town the head-quarters of the Cinque Ports, little foreseeing that it was soon about to be ruined as surely by the stealthy retreat of the sea as the old one by its tumultuous advance. The embankments which were wanting in the one case were only too well applied in the other towards damming out the tides, and the same results were produced by opposite processes.

The catastrophe of the first Winchelsea has carried us some way into the reign of Edward I. We are now to take his treatment of the Cinque Ports as a whole, and to watch how he who towered above his contemporaries in so many other ways, exhibited precisely the same high qualities in dealing with the microcosm before us. The great King did not return to England from his Crusade till 1274. In 1277 he made his first attempt to improve the state of the Confederation by issuing an Edict or 'Dite,' which should settle its long-standing differences with Yarmouth. This perennial quarrel, extending to Dunwich and other East Anglian towns, lay at the root of many disorders, and his resolution to deal

with it was a preliminary part of his war-policy. Reserving for the present any notice of the 'Dite,' we connect it with the King's organization, in the same year, of the Cinque Port Service for his first expedition against the Welsh Princes. Next year he granted the great Charter of the Ports in express recognition of the good service done on that occasion; and in 1282, employing their fleet once more in the same manner, he completed, chiefly by their help, the subjugation of the brave people who had hitherto defied the power of England. The point to be marked is that neither Kings, nor Marchers, nor any one else had ever yet been able till now to bring an effective force to bear upon the mountainous North-west angle of Wales, to which the island of Anglesey served as an outwork and support. The immunity of this vast natural fortress ceased as soon as the proper means were applied. With the King's three armies (amidst which appeared a contingent from Gascony) blockading the passes, and the Cinque Port ships the coast, Llewelyn was forced to submit; and when in spite of every reasonable concession he and his brother again rebelled, the same distribution of forces enabled the King to complete the conquest. In the last of the two campaigns the services of the little fleet were much the more arduous. The reduction of the island of Anglesey was principally their work; and in making a floating bridge over the Menai Straits they suffered a severe loss in men and ships.

The expeditions to Wales afford us for the first time a few details as to the composition of the Cinque Port squadrons when on distant service. That of 1277 only consisted of 17 ships, under the general command of

two 'captains.' As yet there were no admirals. The larger ships carried two rectors (or masters), a senior and junior, while the smaller were officered, as in the beginning of the century, by one rector and one constable. But as the total number of seamen was only 419, and the smallest ships would carry 20 men, the others were not likely to have been of any great size. Several of the vessels in the second and more numerous expedition were 'cogs,' and the expense of it, over and above the 15 days' due service, came to 1,404*l.* This fleet carried 4,000 'quarrels,' or bolts for cross-bows.

Edward's Charter of 1278 is still preserved at Hythe, and many copies are to be found in print and manuscript. None more rightfully deserves a place in history. It is granted

> for the faithful service which the Barons of our Cinque Ports have hitherto performed to our predecessors Kings of England, and recently to ourselves in our late expeditions in Wales, and for the good service which they will faithfully continue to perform in future to ourselves and our heirs.

Its main provisions are only confirmations of the old English franchises which are common to most very ancient charters; but they are all heaped together in this, as we might expect, more fully and widely than anywhere else; and some which had been previously expressed in a more general form are here expanded. The old right to 'denne (or den) and strond' at Yarmouth is to be construed according to the new 'Dite,' and the Portsmen are set free not only from 'ward-

ship' and marriage,' that grievous abuse of feudalism which had come in since the Norman Conquest, and to be restored to their English system 'as in times past,' but from the general legal system of the realm. They are to be 'for ever free of common summonses before our Justices for all manner of pleas itinerant, in whatever county their lands may be,' unless the Barons themselves implead or are impleaded; but that may only take place at Shepway. This extension of franchise to lands held outside the Ports, as well as freedom from prisage (the heavy custom on wine), and the grant of utfangthef, or jurisdiction over thieves caught outside their lands, were additional to former grants; the whole being made conditional on the supply of 'their full service of 57 ships, at their own cost for 15 days, when summoned by ourself or our heirs.' The Warden's position is perhaps only confirmed or strengthened, but it is made very clear that in cases where the Barons either fail to do or receive justice, he is to do full justice on the spot. The Charter in short bears all the marks of that careful and comprehensive treatment to which we are accustomed in the work of Edward I. The additions and improvements of later charters were comparatively trifling.

A statement has found currency that the Cinque Ports were in the habit of making war and peace on their own account. Except so far as circumstances, often arising out of their official position, led them into quarrels with other ports, such as Bayonne, this is not only an exaggeration, but a harsh judgment as to the one event on which the charge could be properly grounded, the decisive Battle of St. Mahé fought in 1293. This

however, in a very real sense, may be said to have led indirectly to the Hundred Years' War. The facts will speak for themselves.

Despairing of keeping England at peace with a frontier exposed in the North to the invasions of the Scots, and with Aquitaine in the South surrounded by enemies, Edward had recently embarked on the arduous enterprise of attempting to incorporate Scotland with England and Wales. Peace with France was of course essential to his plans, but it was natural that the French should regard them with jealousy. Having been all through his career concerned in the organization of his Gascon provinces, which had been brought at last to a happy conclusion by his own patient wisdom, he was painfully aware of his delicate relations with a monarch who had the power at any moment of ruining his work. His policy therefore was to bear almost anything rather than take a fresh enemy on his hands, hoping that when Scotland was entirely subdued, he might deal with Philip the Fair at his leisure. He had seriously miscalculated. Because he had forgiven, resettled, used, rewarded, and disciplined the Royal Navy of the Cinque Ports, he supposed that he might treat it as a body which had no will but his, a simple machine. But independently of the historical events which had left their mark, the normal position of the Cinque Ports was of a different kind from this. For centuries their Confederation had occupied a place of its own. They had been expected to defend themselves and their ports from all attacks, to help each other, and to do independent duties; their stated 'Service' was only a part of their work. They were not a mere fighting

force, but responsible guardians of the seas which they were called upon to traverse as merchants and fishermen.

There are several accounts of the affairs which we have now to describe, and it is evident from them all that the Norman sailors were the deliberate aggressors. The events of the last two reigns had given them temptation enough to be insolent, and such a troubled time must have left many a quarrel unsettled. A fight or two might have been of no consequence; but the Normans, acting with a concerted vigour which gave a strong colour to the suspicions entertained of the French King and his brother Charles, did two things which the English seamen could not and would not bear. They paraded their ships before the English ports with the bodies of Englishmen whom they had slain hanging alternately with the carcasses of dogs at their yardarms; and they waylaid the ships of English subjects sailing from different ports on the Continent, and committed all sorts of atrocities when there was no war between the Sovereigns. The outraged seamen of Gascony cried for vengeance, and they were at that time in strict alliance with the Ports. Edward now addressed the strongest remonstrances to Philip; but though he obtained no redress, he did not declare war. The Portsmen on the other hand, stung beyond endurance, made sanguinary reprisals on their own account, and the result was a general ferment all along the coasts of both countries. Both sides being strong, furious, and united amongst themselves, now resolved to fight it out to the end, and made a mutual agreement to meet on April 14 at a standard hoisted on board an empty ship anchored off St. Mahé. The Cinque Port fleet, rein-

forced by Irish, Dutch, and Gascon ships, the Norman by French, Flemish, and Genoese, were probably not ill matched as to numbers, though the English chroniclers assert the vast superiority of the enemy's force. At any rate the English gained a most decisive victory, and almost annihilated their foe. Perhaps they benefited by engaging in a furious gale of wind which brought out their seamanship and their discipline. The result is described by Peter of Langtoft:—

The Five Portes thorgh powere, the se had so conquerd
That Normans alle that yere, durst not be sene for ferd [fear].

To this we may add that nothing but the magnitude of the disaster could have induced the French to support their king in the unworthy act which now followed, the trick of requiring the chief Gascon castles to be handed over to his charge in pledge, and then, on the most paltry pretences, refusing to give them up. Thenceforward any real and lasting peace was hopeless. Both sides were only waiting for the proper moment to fight the quarrel out. It took five centuries rather than one to achieve that end.

Edward, alarmed and distressed by this 'untoward event,' attempted to bring the Barons of the Cinque Ports to account. We must find room for a few extracts from their elaborate reply, the most characteristic of all their documents.

Summing up a long series of outrages sustained at the hands of the Normans, the Barons particularly dwell on the treacherous manner in which the fleet of these people, consisting of 80 vessels, had passed themselves off at Bordeaux as peaceable wine-ships, but

before leaving the Gironde had rigged themselves out as 'gents-de-guerre' by putting up their fore and stern castles and their castles on the masts, and hoisting their 'banners.' Thus prepared they committed various acts of piracy on unsuspecting Englishmen. On another occasion they lay in wait for a fleet of Bayonne and Irish ships, which they attacked piecemeal, till they had captured 70 in all. Stephen Pencestre, they say, the Warden of the Ports, acting under the King's orders, forbade reprisals. At last in self-defence the Barons assembled at Portsmouth for a peaceful voyage, but in a body, and prepared to resist attacks, and so stood out from that port for St. Mahé in Britanny. The letter (in Norman French) thus continues:

At that very hour the Norman navy was assembled at the River Charente, at Fawney Bridge, and there they loaded with only half a cargo of wine in order that they might be able to sail better, and attack your subjects of England, Bayonne, and Ireland, who were on the coast of Britanny. That they were there the Normans knew well: they hurried away from the Charente and had a fair wind to Britanny where your subjects were at anchor.

Thus on the Friday before Pentecost of this year they came in sight with 200 ships, well provided with armed men, with castles fitted in bow and stern, and with banners of red sendal flying, each of two ells in width and thirty in length, which are called 'baucans,' and by us English 'streamers;' and these signify amongst all seamen death without quarter, and mortal war. In this way the Normans came down upon your people, and feloniously attacked them contrary to the peace which had been proclaimed. Your people defended themselves, and God by His grace gave them the victory; for they defended them-

selves as men who could not otherwise escape death. All these things are the consequence of acts of war, commenced and continued by the Normans. They have been notorious and open acts, feloniously compassed, and done against your people under a peace proclaimed. And since the Normans by their outrage and fault have begun and continued the said war and have attacked under the ensign of mortal war your people, and your people have done what they could in their own defence as above said, we say for the above reasons that we are not bound to make restitution or amends for anything done or captured in the above war. It is the usage and law of the sea that there ought to be nothing of the kind whenever the said 'baucan' is hoisted. When this banner is up it is the usage and law of the realm of England that if a man kills or wounds another in his own defence, he is not liable for it in peace or war. Wherefore, sire, your Barons of the Cinque Ports and all the rest of the 'marine' of your realm and lordship of England pray you that no wrong be done or force used against them: for they will always be ready to do and receive right in your Court by judgment of their peers, earls and barons, according to the law of the 'marinage,' as shall be due, and where it shall be due.

And, dear Lord, your Barons of the Cinque Ports and all others of the 'marinage' have sworn to you against all who can live or die; and if it pleases you we beg to remind you that you are [also] sworn to your people to see them righted according to the laws, customs, and franchises which you and your ancestors, the Kings of England, have granted and confirmed. And let the King's Council be well advised that if wrong or grievance be done them in any other manner against the right, they will rather collect and carry away wives, children and goods, and go seek through the seas [for some place] where they may expect to find some means of support.

This spirited paper suggests a somewhat different idea of the affair from that given by the chroniclers, but it is probable that the latter are right in assigning to the battle the character of a previously-arranged duel between the fleets. Indeed we may read as much 'between the lines' of the document; and the rendezvous at Portsmouth, out of the way of the Lord Warden, is significant. It should also be observed that the Barons speak as the acknowledged heads of the whole nautical population of England, the 'marinage.' It was thus a very serious matter. Events however were moving too fast to admit of any searching inquiry. Philip's treachery, following on the battle of St. Mahé, forced the country into an open and most inopportune war; but as it led to the commencement and continuance of the long and beneficent series of regular English Parliaments, there is something to be placed on both sides of the account.

The King and his people were well enough aware that they must not be too hard upon the Cinque Port Barons for having, like Nelson at Copenhagen, put the telescope to the blind eye. Calling out a general levy of seamen, Edward now summoned the Ports to supply 50 ships, which were to attend specially upon himself. Of these Winchelsea, already prosperous on its new site, contributed 13, thus taking the lead, Sandwich 12, Dover and Rye 7 each, Hastings, Romney, and Hythe, 3 each.

But though the Cinque Port fleet, under the King's direction, made a successful descent upon the French coast, and captured some of the Spanish allies of their enemy, the King was kept too well employed

in Wales and Scotland, and too completely immersed in political struggles at home, to use his sea-force to any purpose till 1297. He had indeed no fleet to oppose the French when in 1295 they swept the Channel with 300 ships, chiefly drawn from the Mediterranean ports, and made their visit memorable by the burning of Dover. They had relied on the co-operation of the traitor Turberville, and when that failed, made ill-concerted descents, first on Hythe, where they were decisively repulsed, and then on Dover, where, though successful at first, they suffered a loss of 5,000 men from the Portsmen and the garrison. After this they were glad to get home again. It is said that Dover, not yet perhaps fully recovered from the effects of the Civil War, never rallied till modern times from the damage done to the houses and public buildings (though the Maison Dieu escaped), during the short time it was held by the French, and that the local control over the Harbour now began to be so ineffective that its decaying condition had to be gradually taken in hand by the Government.

It was not till the summer of 1297 that Edward was able to give his full attention to the war with France. Forced to resign his part in the Gascon war to those who were incapable of filling his place, he had at last triumphed over a thousand domestic difficulties, and set sail for Flanders to head the formidable alliance which he had raised against Philip on the north-eastern frontier of France. In the spring of the year he had shown his good-will to the Portsmen and forgiveness for their late proceedings at St. Mahé by conferring on them two additional charters, considerably extending their

franchises. All difficulties seemed at an end. What happened on the passage we do not know, but we can imagine what must have been the feelings of the general and soldier when, on the arrival of the fleet and army at the Swyn, during the very landing of the troops, the Cinque Port crews suddenly set upon those of Yarmouth, which formed part of the force, and then and there mercilessly destroyed them before his eyes. Walter de Hemingburgh thus describes the scene:—

As soon as ever the King had anchored in Swyn port and gone ashore to his lodgings, the seamen of the Ports, inflamed by their inveterate hatred of the Yarmouth seamen, dating from ancient times, rushed to arms, and in the fury of the attack burnt more than twenty of their ships, putting to the sword as many of their crews as they could lay hands on; nor, though the King commanded them to desist, was he able to restrain their insane violence. However three great ships, in one of which was a part of the King's treasure, got out to sea, and escaped, though not without difficulty.

When we trace the history of the Yarmouth Fair we shall find it easier to understand this dreadful quarrel; but we are not bound to suppose that all the blame was on one side. Whatever the King may have thought, he took no summary vengeance for the affront to himself;—perhaps he was not strong enough to do so. The Portsmen could not be dealt with as he found it necessary to deal with some of his soldiers who upon taking possession of Damme had put the prisoners to death. These he hanged without mercy. The outbreak of the seamen he knew to be only a symptom of long-standing disease, and the writ which he now issued

went to the root of the matter. Expressing his extreme distress and his dread of the consequences, he ordered each of the Ports to send 'four of its most discreet, loyal, and powerful Barons,' in order that they might appear at Michaelmas in St. Paul's, London, before his son, then acting as his 'Lieutenant' in England. They were to take previous counsel with their Combarons, and to bring full powers to deal with the questions in hand. The men of Yarmouth were to send 24 men, who were to be selected from their highest class of merchants and fishermen, to meet the delegates of the Ports.

The award was not promulgated till the spring of the next year, shortly after the King's return. Nothing was here said about punishment:—

> We give our 'dictum' that you shall all observe peace. In future the master of every one of your ships, together with two of the superior seamen of each, shall take, in the presence of the Mayor or Bailiff before leaving the Port, a sacred corporal oath that they and their men will keep the peace, and correct those who break it by sea or land, arresting them and their chattels, and bringing them to the Ports to which they belong, for judgment under the orders of the Warden.

This order had a good effect, and at least established tolerable relations between the parties. The nation could not do without them both. If the ship-service was valuable, so also was the herring-fishery, for it was by the strict regulation of Yarmouth Fair that the nation obtained one of its chief and favourite articles of food, cheap, good, and abundant. The notice of these two fierce encounters may conclude with the award of the Pope, to whom the question of the restitution of prizes

after the Battle of St. Mahé had been referred. It took six years to obtain it. Both sides were to restore such captures as still remained unconsumed. At that distance of time the King's orders to obey the award were not likely to give much trouble to either party.

Edward I. recast the institutions of England in Church and State, law and police, finance and foreign relations; or at least completed the work of all his predecessors. This is precisely what he did with the Cinque Ports. After many disappointments he was now able at last to trust their navy, and the Barons rendered him substantial services in his Scottish war. When the French King made a truce, afterwards extended into a peace, it became possible for Edward to march his army to the North. He was attended once more by his fleet. It is not at all probable that the few ships which the King took with him in 1296, when he first overran Scotland, capturing Berwick on his way, were sent by the Ports: but on his second invasion, taking a lesson from the weakness in shipping which had obliged him to storm the town, he resolved to use the Ports navy, now set free by the truce, as he had used it in his Welsh campaigns. In the end of the year 1298 the Barons were warned to have the whole of their service of 57 ships ready for the expedition of the next year. Of these he selected 30; but they did not actually start till 1300.

Dover on this occasion heads the list with 8 ships, Winchelsea follows with 5, Hythe with 4; Sandwich and Rye sent 3 each, Hastings and Romney 2 each; Pevensey, Folkestone, and Faversham contributed one apiece. Seven were cogs; 5 retained the old generic

name of '*naves*' or ships; 2 were 'snakes.' The rest have no distinctive prefix to their names. The two vessels sent by Hastings were very small; but the size of the ships generally, having been raised by the introduction of the cogs, had considerably increased during this reign. The average of the crews now reached 34, but the vessels still carried only one mast. The larger half of them carried two constables, the rest one: but the peculiarity of this fleet is that it is the first of those furnished by the Cinque Ports which was commanded by an admiral, and Gervase Alard was one of their own men, born and bred. Under him were four 'captains,' Pate, Justin Alard of Winchelsea, Charles of Sandwich, and Aula (or Hall) of Dover. The chaplain, 'Sir Robert' of Sandwich, was 'to confess the sailors of the fleet.' He drew the same pay as the constable, viz. 6*d.* a day; the captains received 1*s.*, and the admiral 2*s.* a day.

Though Gervase Alard may not have been the first to bear the title of 'admiral,' it has been said that he at any rate received the first commission as such of which there is any record. If he really had a predecessor, it was Sir William de Leyburne, who was styled, four years previously, 'Admiral of the sea of the King of England;' but when Alard in 1299 is called 'Admiral of the Fleet of the Cinque Ports,' Leyburne is 'Captain of the King's mariners.' Alard's fuller title is 'Captain and Admiral of the Fleet of the Cinque Ports from Dover to Cornwall, and of the whole county of Cornwall,' and he is again so styled in 1306. This distinguished seaman was the most important member of a family which stands alone in Cinque Port history, a

family of merchants and seamen, said to be of ancient English descent, which settled at Winchelsea soon after the Conquest, and in the thirteenth century produced a large number of leading men who carried on the traditions of the old town into the new. Twelve of the divisions in the best quarter of the new town were assigned to them; eleven of them served the office of Bailiff of the town at different times; several commanded ships in the campaigns of both Henry and Edward, and several held office as Yarmouth Bailiffs. To his place as the chief of a whole clan, the position of which reminds us of the prominence of certain families in the Italian Republics, without their vices, was no doubt due the extraordinary magnificence of the monument generally admitted to be that of Gervase Alard, in Winchelsea Church. It is still to be seen, less damaged than we might expect; and is perhaps not far from the finest monument of those times now existing in England. Next to it stands another of the same sort, but inferior to the first, probably that of Stephen Alard, who was 'Admiral of the Cinque Port fleet' in 1324.

Gervase Alard was ordered to take his fleet to Skymburness, in the Firth of Solway, where he would be in the neighbourhood of Carlisle, ready to co-operate with the army. The King had discovered that this was the best side by which to invade, and Kirkcudbright the best basis of operations in Scotland. Exactly the same plan was pursued in all three of Edward's campaigns, in 1300, 1303, and 1306. In the first of these the Cinque Port fleet is said to have captured 28 ships and routed 16,000 men, but this is by no means certain. The movements of the fleet are obscure

enough, nor do we know how the work of conveying troops and stores was distributed amongst the ships of the Ports and those which were summoned generally from places outside of the Confederation. Of course there was not much opportunity for such nautical exploits as would attract attention, and one case comes before us of officers quitting the fleet without leave; but though not yet a perfect machine, the contrast between the half-disciplined Service of the Ports in previous times, and the quiet way in which it now takes a place almost as useful and trustworthy as that of a modern fleet, is very significant. Gervase Alard died soon afterwards full of years and honour, leaving a memory of which the Cinque Ports were proud.

As the Winchelsea admiral represents the highest point to which the Confederation attained at the end of its most distinguished period, so Winchelsea itself on the whole figures as the representative Port. There is a public spirit and dashing enterprise about its Barons which, though sometimes wrongly directed, is of the same character as that which made, some centuries later, the seamen of Holland the saviours of Europe and those of England the founders of her empire. The influence of particular families will largely account for this distinction, which indeed requires some explanation. We hear of no families at the other Ports like the Alards; nor at Winchelsea did they stand alone. Robert Bataille, who, like Stephen Alard, was an Admiral of the Cinque Ports in Edward II.'s reign, passed on their traditions of command; and Winchelsea kept the lead even after his time. The French, as soon as ever their opportunity came, showed their appreciation

of the services of these useful, but forgotten, Englishmen by repeated attacks upon their town; but even then it was not so much the success of these attacks which destroyed the spirit of Winchelsea as the decay of the harbour which emptied the town.

The Cinque Port fleet had, like its neighbours, by this time adopted distinctive flags and banners. It had probably done so at an earlier date, for the banner of the Confederation is mentioned in 1275; but we may assign a legal and international obligation to carry colours to the Convention of Bruges in 1297. In that year Edward I. and Guy, Count of Flanders, provided that their respective subjects should 'for the future carry in their ensigns or flags the arms of their own ports, certifying their belonging to the said ports.' How far this order was understood by the Cinque Ports to be sufficiently observed by hoisting their common flag, the three lions of England dimidiated with the sterns of ships—'the most curious frolic in all heraldry,' but also the most honourable, or whether each ship carried its own Port-colours, cannot be stated with certainty: but in all probability the first was generally counted sufficient, the last being used on state occasions or local displays. The arms of Hastings, Sandwich, and Winchelsea are identical with those of the Confederation. The seamen of the Ports probably wore these arms at first in the form of a badge: the earliest surviving notice of any special uniform occurs in 1513, when Henry VIII. assigns them 'a cote of white cotyn with a red crosse and the armes of the Portis underneathe.'

One of the later acts of Edward's reign was to assert in words what John had implied by the order, given at

Hastings in 1200, that his ships should make all others strike their sails to them within the Narrow Seas. When Edward assumed the 'sovereign lordship of the sea of England and of the isles within the same,' no one could deny that the building up of this sea-kingdom had been the work of the Cinque Ports. The waters which before 1204 had been the dominion of the Sovereigns who ruled all but the whole coast on both sides, had now, after a fluctuating struggle, been retained under the rule of the same power which before that date possessed them without dispute. To the English it seemed but simple cowardice, because their kings had been robbed of their land, to give away their sea. Their greatest monarchs represented that national sentiment. The people of the Low Countries acknowledged the sovereignty as a matter of course, and admitted that its limits were only reached when the voyager arrived at the point where the Atlantic broke upon the extreme west of Britanny, the little town of Craudon.

CHAPTER VI.

DECLINE OF THE CINQUE PORTS.

The Cinque Ports under Edward II. and Edward III.—Battle of Sluys—Siege of Calais—Lespagnols-sur-Mer—English disasters—Failure of French armament—The Ports under the King-maker's influence—Decay of harbours—Representation in Parliament.

IT was not till the end of Edward III.'s reign that the disasters of the Ports, from which they never recovered, began: but even in the previous half-century their pre-eminent place in relation to the naval service was not so marked as it had been under John, Henry III., and Edward I., nor could they take the same unchallenged position in comparison with certain other ports and commercial centres as of old. The avenues of commerce had been opened out in all directions, and while the Barons had been gallantly establishing the sovereignty of the Narrow Seas, their rivals had been stealing away their former exclusive advantages.

The decay of the originally fine harbours of the Cinque Ports lay at the bottom of this gradually declining position; for it prevented them, with all their high spirit, from rising to the altered circumstances of the age. Nothing but their splendid traditions and their situation over against the coasts of France and Flanders kept them in fighting line with

the nation. Like the dwarf in the fable they now received the blows which were meant for the giant, and found the glory a somewhat barren compensation. Further, just at this very time the expanding requirements of the French war were teaching the English people that far from being able to rest satisfied with a declining navy, a corresponding development of their sea-forces beyond the limits of the Cinque Port Service had become necessary. Edward I. had latterly found it desirable to divide the stated quota of the Ports seamen amongst a smaller number of ships of a larger size than of old, and to establish his admirals over other divisions of the coast besides that of the Cinque Ports. This system was carried still further under his son and grandson. The very institution of 'admirals' served to subordinate the Ports Service to the national Service as a whole, and destroyed its ancient, unique and too independent character.

There was no lack of employment for the Portsmen under Edward II., who began by calling them out for his passage to France upon his marriage, and used them like his father for his Scottish expeditions in 1310 and 1314. It did not add to their respect for him that they returned from Scotland without honour; and they seem to have declined to muster again at Skymburness in the year after Bannockburn. In 1321 the King, who, with all his faults, took a special interest in sea-affairs, succeeded in appeasing a quarrel between English and Breton seamen, and a specially fierce one between the Cinque Ports and the associated towns of Poole, Weymouth, Lyme, and Southampton. Admirals such as the Alards and Bataille had

attempted to keep up the traditions of the last reign, but when Hugh le Despenser, Edward's favourite, commanded the Ports fleet during the Civil War, accusations of piracy once more appear, just as they did when the fleet was under the command of the younger Simon. Civil war was of course the natural opportunity for these crimes and misdemeanours; and Letters of Marque, which have an ancient history, granted on occasions when demands for satisfaction were not met on one side or the other, were quite as demoralizing as they have been found in modern times. The revolutions and disorders of Edward II.'s reign, and the early difficulties of Edward III.'s which sprang out of them, greatly encouraged the French in their designs upon Aquitaine; and to forward these designs they openly allied themselves with the Scots, as indeed they very naturally did more or less throughout the reigns of the three Edwards. In spite of a fine show of fleets here and fleets there, and of admirals with grand titles, the nation had never been properly organized for the defence of the 'sovereignty of the seas' since the death of Edward I. Its sea-forces had again come to be little more than mere coastguards, and nothing had really been done against an enemy who gathered courage from impunity. A generation had grown up under this state of things, the fruit of bad government and civil war. Matters came to their worst in 1339. The French fleet, recruited from the Spanish and Genoese, as well as from the Norman and Picard ports, had been riding supreme in the Channel during the previous year, had burnt Portsmouth, and seriously injured Southampton. Assisted by Scottish seamen they actually conquered

Jersey, and had captured the pride of the English, the Cog Christopher. Edward III., finding that he must attack Scotland in France, and in that way also save Aquitaine, consulted the House of Commons as to the best way of dealing with the emergency which had arisen for want of a sea-force. 'There was navy enough in England,' said he, 'if the people only had a good will.' In other words, the nation must provide money on a large scale; the King's powers were exhausted.

The Commons replied—so low as yet was their sense of responsibility—that they really knew nothing about these matters; but they advised that,

since the Barons of the Ports who from time immemorial (*a tut temps*) had enjoyed honours before all the commons in the country, and were enfranchised in order that they might be a guard and wall between us and foreigners, being at no charge for their land, and so reaping profits beyond number both on shore and at sea for this express purpose, they were bound to guard the sea, as the commons did the land, without asking or taking wages.

The Barons of the Ports had not yet, it should be observed, taken their place in Parliament. It is not too much to say further that the advice of the Commons was not even theoretically sound, besides being practically foolish. The Ports did not repudiate the service to which they were bound, but what was now required was the means of largely prolonging and vastly supplementing that service. The time had come for great combinations and for a serious national effort. The young King's first plan had been to attack France, like his grandfather, on her Flemish frontier. The immense sums, however, which had been lavished upon his expe-

ditions had been spent in vain. It was plain that nothing could be done till the French fleet was destroyed. The King looked the facts fairly in the face, and applied his own shoulder to the wheel. We learn from the Rolls of Parliament, shortly after it made its despairing answer, that a way had been found out of the difficulty. The Barons of the Cinque Ports promised that 21 ships of their own, and 9 belonging to 'la eawe de Thames,' should be ready before midlent, the Exchequer paying half their expenses, not as wages, but as of 'special grace.' The number of this squadron was soon raised to 60. The different ports to the west of Portsmouth supplied 70 more ships on the same terms, and were assigned to the command of the Earl of Arundel, while the Warden of the Cinque Ports, William Clinton, Earl of Huntingdon, took command of his own division. It was no time for petty wrangling: 'special grace' supplied what could not be claimed by right.

A new spirit now all at once displayed itself in sea affairs. The country was thoroughly aroused, and had taken the measure of the hero-king, who, following the example of his predecessors, had begun, when affairs looked most menacing, by setting the Cinque Ports in order. Special instructions had been given to the admirals to put down anything like renewed outbursts of the Yarmouth feud, and they were to be held personally responsible for the prevention of all such disturbances: the Archbishop of Canterbury was to be called in to arbitrate upon the existing differences. The insolence of the enemy had already been met by a formal proclamation:—'We considering that our progenitors, Kings of England, were lords of the English

sea on every side,' &c., and the step had been boldly taken some time before, under circumstances of systematic aggression which would soon have overwhelmed a weaker king than Edward, of claiming the crown of France. But these were only words. All was now ready. The Cinque Port fleet was equipped. The Barons had been treated generously, and struck the first blow with spirit. Rushing out upon the squadron which had the temerity to attack Hastings and Rye, they put it to flight; but, unable to overtake it, they made a dash at Boulogne, burnt part of the town, seized the shipping, and incontinently hanged no fewer than twelve of the French sea-captains who had been concerned in marauding expeditions.

Within a few days of this exploit Edward, at the head of the whole marine of England, won the magnificent victory of Sluys. He and his admirals deserve the highest credit for the way in which his forces were handled. The different portions of the fleets destined for the attack collected at different ports under his chosen commanders, and met off 'la eawe de Swyne' without a single mistake. The best of the troops were distributed in the largest vessels, which were to form the first line. Ships full of archers took their places alternately with those which carried the knights and heavy armed soldiers, so that one might support the other. He himself took his station on board the Cog Thomas, apparently one of his own ships; while the enemy placed the great Cog Christopher, which they had captured, in the van, and round her the battle raged like the Homeric fights round the body of a hero. Sir Harris Nicolas has told the story with so much care and knowledge that it need not be

repeated, especially as the Cinque Ports only supplied a certain proportion of the whole 200 vessels, and can therefore no more claim it as their special victory than the other forces which were employed might have done. In those pages may also be read the earliest despatch that ever announced an English naval victory. It was written by the King himself, with such good taste and perfect modesty that it ought at least to modify the accusations made by too many writers against Edward III. for his vanity and ostentation. It should however be stated that the two fleets were very evenly matched, to say nothing of the help which the Flemings evidently afforded to the English. The reader must therefore be cautioned against accepting the version received from the chroniclers, who as usual give an immense superiority to the French fleet. But there is no doubt that the enemy lost some 30,000 men in this sanguinary stand-up fight, which lasted for twelve hours; and it is no slight tribute to their gallantry that, in spite of such a loss, they ravaged the English coast immediately afterwards.

The importance of the part performed by the Cinque Port fleet is shown not only by the use Edward and his sons made of it as their central force all through the war, but by the King's resolution to stretch its capacities to the utmost. The emergency would not admit of the slightest relaxation of service, and to that they were kept by the most stringent methods: nor was this all; they must also be taught that from them, as from the rest, extraordinary sacrifices were required. The very year after the Battle of Sluys, Hythe and Romney required the spur. Their shipping was not ready, and the

collector of the subsidy, as well as the king's collectors of wool in Kent, were ordered to ignore their franchises, and tax them just like other men. In 1344 the whole of the Ports, being required to send out an exceptional supply of ships, received, or were threatened with, a similar treatment. The Lord Warden was to distrain their goods. The Portsmen were in this case standing on their franchises, the King on the plea of national need. Of course the former had to give way under the stress of a call to which the whole nation answered when once aroused; but in 1359, when the struggle was supposed to be at an end, the Ports required and received from the King a full confirmation of all their ancient rights and time-honoured limitation of service.

The Siege of Calais again, in 1347, needs little notice here, except as affording a comparison of the Cinque Port fleet with other squadrons which were called out for service. In order to supply a covering force for his besieging army, as well as a sufficient number of vessels for the blockade of the port and guard of the Channel, Edward had to make a general demand for ships, large and small, as well as for seamen. The first of these squadrons mustered at Sandwich, which was still the only port at a convenient distance which could accommodate so large a fleet. The total number amounted to 710 ships and 14,151 men, of which the five Cinque Ports, two Ancient Towns, and three of their Members provided 105 ships and 2,140 men in the following proportions:—

	Ships	Men		Ships	Men
Hastings	5	96	Winchelsea	21	596
Sandwich	22	504	Rye	9	156
Dover	16	336	Seaford	5	80
Romney	4	65	Faversham	2	25
Hythe	6	122	Margate	15	160

The relative contributions of the Ports amongst themselves must be taken in connexion with those of their Members, which in some cases are evidently reckoned along with those of their head Ports, as at Sandwich, and in some cases not. The remarkable feature is the strength of the contingent from Winchelsea, sixty years after its migration, and from Margate. The last leaps all at once into a place of consequence, but its vessels are of very small tonnage. The proportion of the Cinque Port force to that of the whole is about one-seventh. A few of the contingents from the most important of the other ports will afford us the means of comparing the size of the ships with one another.

	Ships	Men		Ships	Men
The King's ships	25	419	Fowey	47	770
London	25	662	Bristol	22	608
Portsmouth	5	96	Southampton	21	576
Dartmouth	31	757	Yarmouth	43	1,075
Plymouth	26	608	Dunwich	6	102

Accidental circumstances may have affected this list; but, roughly speaking, we may deduce from it that Southampton, Bristol, London, and Yarmouth contributed the largest vessels; the King himself, Dunwich, and Fowey the smallest. The Cinque Ports stand exactly at their old proportion of men to each ship, taking up a medium position as to size.

The strength of Yarmouth comes out so plainly that we cease to wonder how that single town could so often beard the Ports-bailiffs of the Michaelmas Fair; but the strength of Fowey is still more notable, and prevents us from discarding the story of their adventure with the 'two Ancient Towns,' placed in the reign of Edward III. by tradition, and reported by Carew, in his

'Survey of Cornwall,' in 1603. Resenting the assumption of superiority on the part of the Cinque Ports, their fishing fleet

happening to sail near Rye, refused to veil their bonnets [or in other words to salute the Cinque Port flag] at the summons of those towns. This contempt, by the better enabled seafarers reckoned intolerable, caused the ripiers [fishmongers] to make out with might and main against them, howbeit with a more hardy onset than happy issue; for the Foy men gave them so hearty an entertainment at their welcome that they were glad to forsake patch without bidding farewell, the merits of which exploit afterwards entitled them 'Gallants of Foy.'

Three years after the capture of Calais was fought the famous battle of 'Lespagnols sur mer' off Winchelsea. We have no certain knowledge of the proportion of ships furnished by the Ports on this occasion, and as the King, who had turned his attention to shipbuilding, had several of his own present, this can scarcely be called, though it often is, a special Cinque Port victory. The Ports however, as at the Battle of Sluys, were much concerned in it. In addition to the vessels they themselves contributed, they manned several of the King's ships; and Edward certainly made Winchelsea his headquarters. But it is unnecessary to repeat the story; for who could desire a finer narrative than that of Froissart, who is indeed the sole authority for details which require no explanation? Never is the chivalrous chronicler more happy than in his description of this fine affair. Without his help we should never have known the pre-eminent gallantry of the King and the Prince of Wales, each fighting his own ship till it

absolutely sank under him, leaving him and his crew to save themselves by the capture of the enemy. To Froissart we owe the lifelike touches which are better than a thousand romances—John of Gaunt, a boy of ten years old, refusing to be left on shore with his mother, the gay nonchalance of the royal party while waiting for the enemy, Sir John Chandos singing his last new song from Germany to the melody of the minstrels on the forecastle, the little English vessels, like boats by the side of the hulking Biscayans, placing themselves in their very track as they came bowling along defiantly before a strong fair wind, the emulation of the great earls and barons to equal the exploits of their royal chiefs, the splendid self-devotion of the valet Hannequin, and after the victory, the King and his sons galloping off from Winchelsea to show the Queen they were safe and sound. It is the story of the Round Table, of the Vikings, and the tournaments of chivalry, combined in one; but it is no romance. The facts were patent, the details came from eye-witnesses. On the gold coin by which Edward commemorated the victory the modest and suggestive title which he chose was this: —'The Avenger of Merchants.' He at least, with all his knightly chivalry, had understood where the interest of England lay. The disgraceful condition out of which he raised her for a time, had half ruined the commerce by which she had become great. It had now revived with tenfold vigour. When the House of Commons was bemoaning the decline of the Navy at a later date, and pointing out the chief causes of the existing distress, it referred back to this year:—

Twenty years ago, and always before, the King's Navy was in all ports and good towns on sea and river so noble and abundant that all countries called, and held our King to be 'Le Roi de la Mier.'

The increase of commerce which followed the 'sovereignty of the seas' left a broad mark upon the country. Neither French nor Spaniards could keep the sea; Calais was a great English market; and we do not hear of any disasters seriously affecting the Ports till 1360. That year however brought an ominous presage of what was to come. The bees had been making honey for others. Edward had staked everything upon a crushing invasion of France with an immense force, and, neglecting what little danger there might seem to exist from the French Navy, had thought it sufficient to order all English vessels to be drawn up on shore out of the way of a sudden descent. The enemy, unable to meet the land force, were once more spirited enough to take advantage of the opening thus given to their ships. Swooping down upon Winchelsea, the leading Port, which had specially provoked their wrath, they took it by surprise, sacked it, and committed the worst outrages. There seems to have been no resistance. The King, infuriated at the news, turned fiercely upon Paris, vowing vengeance; but before he could take it, ill-fated Winchelsea, his favourite town, was subjected, on the very anniversary of the first attack, to another of a still more serious nature. This time however the town was avenged. The Cinque Port squadron was called out, and joining a fleet under Sir John Pavely, drove the French into their harbours and made reprisals.

The Isle of Saints, Boulogne, and Harfleur are all said to have felt its fury, but we have little contemporary light upon its proceedings, and the truce which preceded the Peace of Bretigni put a stop to them. It does not say much for the vigilance of the Barons of Winchelsea that they were surprised on both occasions; on the first, a Sunday morning, while the people were at mass; on the second at night. The nave of their beautiful church, of which the spacious choir alone remains, is supposed by some to have been destroyed in one of these attacks; another and smaller church was certainly ruined, and has long since disappeared.

Edward now adopted the plan of placing the whole of his fleets under the Lord Warden of the Cinque Ports, thus insuring to the Confederation a continuance of its position as the central and standing force of the sea-service. Three admirals in succession held this office. The Ports fleet then fell under the command of Sir Robert Assheton, 'Admiral of the fleet westward of the Thames,' who at a later date became Constable and Warden. He was one of the King's personal friends and most trusted officers, and was selected by him as one of his executors. He died at his post, and it so happened that his fine monumental brass was the only one which remained in the ancient church of Dover Castle, long after it fell into ruins; it had entirely disappeared before the modern restoration took place. So also had the peal of bells which he presented to the church, and which, after its ruins had been completely desecrated, were carried off by Sir George Rooke to Portsmouth, and subsequently melted down.

A very few words will describe the catastrophe under which Edward's grand fabric, the crowning result

of many victories and a vast expenditure, broke down with a crash, and left the Cinque Ports a prey to the prolonged miseries of which the two sacks of Winchelsea had been the prelude. The disasters of the Prince in Aquitaine had disclosed the real weakness of the fair-seeming English position. With the loss of Aquitaine and the union of France and Castile against England, the streams of commerce began to dry up, and the naval system, formed on the basis of an abundant trade, found itself inadequate to cope with the requirements of a new war. Just as the magnificent courage and enterprise of the King in his youth had changed the gloomy face of affairs, so it now became evident that his extraordinary success had depended on the personal superiority of the Royal Family. The impulse which they had given to the English marine was due to precisely the same cause as that which in later ages raised it to pre-eminence under Blake, Monk, and Montagu, the infusion of a dashing military spirit into a system in which mere seamanship and formal routine had come to hold too high a place. A generation which had been unable to raise itself out of a humiliating position had been succeeded by one which had mounted to the highest pitch of warlike vigour by land and sea. Nothing was too great for it. The collapse ensued because during the time of prosperity provision had not been made for the reverses which might happen. Chivalry had done wonders; it was not linked with the consummate statesmanship which the times required, and which an Edward I. might have supplied. The King and the Prince were worn out; it was too late to recast institutions.

The burning of Portsmouth in 1369 proved that the French understood the real state of affairs, and knew that they had not much more to fear. Fresh enemies came in view. The English and Flemings engaged in petty hostilities with each other, which on the authority of Froissart have been connected with an English success in 1371. No doubt however hangs over the terrible disaster of the next year, which virtually put an end to the English rule in Aquitaine. It is true that the Castilian force was overwhelming, and that the youthful Earl of Pembroke, too young for the command of an English squadron, made a fine resistance; he was none the less surprised and his ships destroyed off Rochelle. The old King and the Prince, furious at the news, made a last frantic effort to avenge the defeat, and put to sea with a great force, sufficient to punish, perhaps annihilate the enemy, as of old; but after struggling for five weeks against foul winds, they were obliged to return without striking a blow. The ships were paid off; no more money was forthcoming. From that moment the English sovereignty of the seas became an empty name for something like forty years. In that very year appeared upon the scene the first competent admiral the French had produced, John de Vienne. As Admiral of France the whole organisation of the sea-forces was placed in his hands by Charles the Wise, and by 1377 the English discovered it to their cost.

The treatment of naval affairs in the House of Commons a little before this collapse is significant, and may be connected with the fact that the Cinque Port Barons had now at last taken their seats. It was in 1371 that, mournfully recalling the glorious memory of 'Lespagnols

sur Mer,' Parliament deplored the collapse of the Navy, and amongst several suggestive statements on the subject, attributed it mainly to three causes. Ships were arrested for the king's service long before they were wanted, and during the interval the crews were unpaid and the owners uncompensated for loss of profit. Merchants were crippled by recent Ordinances, so that sailors gave up sea for land employment, and ships were hauled up to rot. Finally, the system of impressing the masters and ablest men of merchant ships to man those of the King had the most disastrous effects.

At first sight it seems inconceivable that such a system should ever have worked at all; but as long as the English had command of the sea, as long as the Gascon and Flemish ports were open, and as long as the king's own navy was too small to be a serious drain upon the mercantile marine, there were compensations which kept the machine at work. But when the country was exhausted and defenceless, the burdens described by the Commons, aggravated by the sale of numerous privileges to foreigners, became intolerable, and the growth of the King's own shipping, which yet was in no position to supply the place of trading-ships seized for the occasion, made matters worse. This was the root of the difficulty. Edward and his son had conceived the idea of a powerful navy of King's ships which should set free the traders, but the expenses of the army checked their progress. What had been done was good in itself and served its immediate purpose, but it did more harm than good on the whole. Parliament might complain, but it had no idea of taking the expenses of a permanent navy off the King's hands.

A general attack upon the English coasts had long been contemplated by the politic King of France and carefully prepared; but it had been thought prudent to wait for the approaching death of the King of England and of his still more dreaded son, and a two-years' truce had been conceded. At last the moment had arrived. Never was an opportunity more auspicious for the attack, more disastrous for the defence. 'The sable warrior had fled.' The 'mighty victor' 'lay low on his funeral couch.' The expiration of the truce was all but coincident with the very day of the King's death, yet at this supreme crisis political struggles were occupying the minds of English statesmen, and though some steps were taken for guarding the coasts by land, the sea was once more left to take care of itself. The French, Spaniards, and Scots were in full alliance, even before the truce had come to an end; and the breath had scarcely left the King's body when an overwhelming fleet of French and Spanish ships swept the Channel. They again selected Winchelsea for their first attack, but actually began with Rye, which, being unwalled, was easily taken and completely sacked. The Council held that the people of the town had failed in their duty, and some of them were executed as traitors. On this occasion, as well as in 1448, the fine church of Rye was much injured, but some portions of early work still remain, amidst the later Perpendicular. Before these attacks it was celebrated for its beauty, and it is still an imposing structure.

Winchelsea, on the other hand, profiting by its sad experiences, had repaired its walls, and Hamo de Offington, abbot of Battle, the great landowner of the neighbourhood, had, though a priest, been charged

with its defence. Valiantly throwing himself with his troops into the place, he forced the enemy to relinquish the attack for this year. He was equally successful the year following, and set a fine example by replying with spirit when summoned to surrender or else 'redeem' the town, that 'he needed not to redeem that which was not lost.' Other clergy bravely came to the front on this emergency. The prior of Lewes, in defence of Rottingdean, inflicted the only real loss the French suffered. It was however scarcely a check. Hastings, Lewes, and Folkestone shared the fate of Rye. The Isle of Wight was partially occupied, but not for long. According to Froissart, Dartmouth, Plymouth and Yarmouth were all burnt. In the course of the next three years the enemy, encouraged by impunity, returned again and again to the attack, and in spite of the English fleets which were collected from year to year, harassed the coasts almost at pleasure. Hastings and Portsmouth a second time felt their fury, and the flames of Gravesend carried alarm to London itself. Even inland towns like Oxford were ordered to be fortified in all haste.

These conflagrations were of course less serious in their effect than they would have been had not the wooden houses of the period been rebuilt from the neighbouring forests with more facility than would have been possible with brick or stone. The men of Rye had suffered more than once before, as is shown by their Petition for help in 1378; but, in spite of blows from friends and foes, they had spirit enough to make a raid, in conjunction with Winchelsea, upon the Norman port to which the bells of their church had been

carried, and after ravaging the coast of the enemy, to bring them back in triumph. The French however, in 1380, once more revenged themselves upon Winchelsea, the chief offender, and with so large a force that the Abbot found himself obliged to evacuate the town and leave it to its fate. Again it was thoroughly sacked and burnt, and the walls broken down; thus completing the process which was begun in 1361, and had lasted nearly twenty years. The place never recovered. The later Parliaments of Richard's reign voted money to restore the houses and walls; but we are henceforth to look upon Winchelsea as living upon its past fame. Rye also at last received a grant towards building its walls, of which the great Land-gate, a fine building 40 feet high, still presents a specimen.

A short truce was now followed by the gathering together of the whole French naval force, with which the youthful Charles VI., inspired by the energy of his admiral, determined to avenge at last, not by mere descents upon the coast, but by a conquest like that of William I., the capture of King John, the loss of Calais, the victories of Crécy and Poitiers. This armament, vast beyond all precedent, effected nothing but the crippling of France for half a century. Some incidents of its destruction especially affected the Cinque Ports. To make sure of a successful landing, the French had at immense expense constructed a lofty wooden wall to cover the troops, with still more lofty towers, all of which was made to take to pieces, and was stowed away on board several ships. Parts of the wall fell into the hands of the English cruisers, and were carried to Sandwich, where they were set up by way of a temporary

defence. Not having yet been able to comply with the order which had been received to provide walls, Sandwich might have been glad even of a scarecrow. The French armament itself was turned to much better account. The supply of wine laid in for it was enormous, and during the process of breaking up the fleet, which the English ships took two years to effect, enough of this wine was carried off to satisfy the wants of the people of England for a considerable time. The Cinque Ports were to the front in these proceedings.

The collapse of the French marine was now as great as that of the English had previously been; but the policy of Richard, when he came of age, inclined more and more towards peace with France; and certainly under him the country was in no state to resume her ancient sovereignty of the Seas, nor were the Ports in a condition to take the lead in the same manner as of old. Hastings and Winchelsea were quite unable to rally from the late disasters, and to these must be added Hythe; but the causes of its decline were rather accidental than the effect of war. Besides the general silting up which was going on at Hythe as elsewhere, the town suffered, towards the end of Richard's reign, a threefold calamity. A fire destroyed 200 houses, a pestilence carried off numerous inhabitants, and an unusually heavy storm caused a severe loss of ships and men. The townsmen seriously contemplated the desertion of their ancient inheritance. Henry IV., who had just come to the throne, refused his permission, and persuaded them to remain by remitting their 'service' for the next five occasions on which the Ports might be summoned. But Hythe never recovered.

Sandwich on the other hand had benefited by a threefold improvement. By two processes, in 1290 and 1364, Edward I. and Edward III. had bought out the monks of Christ Church, whose ancient right to the customs and dues of the Port as well as to the profits of 'Monken Key,' though defensible at first, must long have been an obstructive anomaly in a royal Port of so much importance; but the monks continued to receive rents upon their property. In 1365 Stonor, the old rival of Sandwich, was almost entirely destroyed by an inundation after a storm, and never rose again. Lastly in 1377 the Staple of Wool was removed to Sandwich from Queenborough. Thus the town still held its head high. The diminished harbour was still valuable for the assemblage of fleets, and the French for some reason did not visit it as they did the other Ports. Throughout the thirteenth and fourteenth centuries it is said to have contained 800 or more inhabited houses, and to have been able to equip fifteen fighting ships, as well as to supply 1,500 seamen. In 1397 the corporation was wealthy enough to lend Richard 100 marks. For a time it once more took the lead, and may be said to have filled the place of Winchelsea. As a whole however the Ports were now in a far feebler condition than in the previous century.

Soon after the accession of Henry IV., the last of the Cinque Port officers who attained any distinction, Henry Pay of Faversham, comes upon the scene. His appearances are somewhat mysterious, but it is certain that he was engaged in several affairs with the French. In 1405 he and his Cinque Port ships were concerned with Lord Berkeley in the capture off Milford Haven of a

French squadron, which had been sent to the support of Owen Glendower—an opportune service which broke up the alliance. This was only one of many efforts on the part of France to take advantage of the disputed Succession, little noticed in English histories, but which have been held to justify the Lancastrian Kings in the renewal of their claims upon their ancient French possessions. Owing, however, to the irregular character of these incessant reprisals in the earlier years of Henry's reign, the chief actors in them, and above all Henry Pay, have suffered under the imputation of piracy, and perhaps deserved it. It may be safely asserted that he would never have been entrusted with the command of the Cinque Port fleet if he had had no better claim to respect than is implied in that title; nor have we any right to refuse to 'Arripay,' as the Spaniards called him, a place of honour because his name became a terror to the enemies of England. In 1407, at the head of the Ports fleet, he succeeded in making an immense capture—no less than 120 ships laden with iron, salt, and wine. He was buried at Faversham in 1419.

The deplorable state of maritime affairs in the reigns of Richard and his successor was not lost upon the young Henry V., who had learnt his lesson as Warden of the Cinque Ports. Two months after his accession he passed a Bill through Parliament to put a stop to piracy. Henceforth the crime was to be high treason, and precautions were taken to prevent the Act from becoming a dead letter. Thus the evils incident to a war of reprisals were at last properly dealt with: but Henry, like Edward III., saw also that the only practical means of putting an end to such proceedings was to turn the

desultory hostilities out of which they arose, into open and honourable war. Further, his local experience had taught him that the Cinque Port harbours were no longer capable of building or sheltering the large ships which were required for such a war, and that the king's own navy must be brought forward to supply their place. His increase of this force was larger and of a more permanent character than that of Edward III.

Taking Southampton, which had been walled in 1338, and thus escaped some of the disasters of Richard's reign, for the royal port, Henry at once set to work with so good a will that amongst the fleet which invaded France in 1415 were 27 royal ships, 4 of which were 'great ships' and 8 were carracks, some perhaps of the size of 500 tons. This was a great advance; but the crews do not appear to have been proportionably numerous, nor even yet was the King's Navy strong enough to preserve its organization through a feeble reign like that of Henry's son; but it never fell back again to its mediæval condition. The commercial energy of the reigns of Edward IV. and Henry VII. helped those kings to carry still further what Henry V. had taken in hand; but it was Henry VIII. who made the vital change which was necessary before the Royal Navy could be raised to its proper place, independent of the merchant service. This was effected by creating a new Royal Establishment, with a Navy Office under Commissioners, and a 'Trinity House' for Pilotage, a Magazine and Storehouse at Deptford, and a Dock at Woolwich for building. Out of these preparatory foundations sprang eventually a permanent body of sea-officers, regularly paid, and, after good service, pensioned; but

the Naval Service scarcely arrived at that position under the Tudors. The Spanish Armada opened the eyes of the nation; and with the Stuarts, ill-advised in the use of the weapon which they did so much to forge, came the complete system which has become familiar to us all.

So much was necessary in order to distinguish the position reserved for the Cinque Ports in the fifteenth and sixteenth centuries, the period of their irretrievable decline. They had still a place in the national polity, but altogether a humbler one than of old. Their Service is called out to transport backwards and forwards royal personages; but in such employment the ships are still more than mere yachts, for they have to defend the charge committed to them from attack at sea. In Henry VI.'s miserable reign they even come to the front once more, though their proceedings are obscure, and they perform no great exploit. A regular system of subsidizing the Ports when their fleet was called out for service was in existence under Henry VII., and is not mentioned as anything new. He assigned 500*l.* for this purpose in 1492; and in Elizabeth's charter it is granted that a subvention of 300*l.* should always be provided in such cases.

Of Henry VI.'s reign we begin to find a few records which have been saved from the wreck of burning towns and a still more fatal negligence in the custody of archives. The painful difficulty in which all loyal subjects of the hapless King found themselves involved, is easily to be traced in these papers; but it was not till the final loss of Normandy and the descent of the French once more upon the undefended English coasts, that the Portsmen gave up all hope that the country might be

saved under the rule of its anointed Sovereign. At last, just as in former times they rallied round Godwin, Hubert de Burgh, and Simon de Montfort, so now they gave their confidence to the soldiers and statesmen whom they knew and could trust, Richard, Duke of York, Edward the future King, and Richard, Earl of Warwick.

The steps in their political conversion seem to have been these. The burning of Rye and Winchelsea once more by a French squadron in 1448, unprotected as they had been and unavenged, put an end to all respect for the Government, which had in fact fallen to pieces. We have no contemporary account of these assaults, but the distress of Rye may be traced in the charter now granted, by which Tenterden is incorporated under a 'Bailiff and Commonalty,' and united to Rye in order that in return for its new privileges it may contribute towards the Service due from that 'Ancient Town.' At two places in those days the sea touched Tenterden parish, Small Hythe and Shirley Moor, at the former of which the ships of Tenterden were built.

It was no wonder then that some of the Ports betrayed sympathy with Jack Cade's insurrection, and at least parleyed with the rebels, while a few did more. Though a symptom of wide-spread discontent, the rising proceeded from their own neighbours. It was a Kentish and Sussex movement in which responsible leaders, such as the Abbot of Battle, the Prior and Constable of Lewes, the Bailiffs of Seaford and Pevensey, and some of the best families were implicated. Hastings had eleven men engaged under Cade; Rye sends to have his 'friendship;' and Lydd propitiates 'the Captain' with a 'porpus.' The latter town even goes so far as to send

its constable on horseback 'to aspye tythynge [tidings] of the capitayne of the ost;' and a letter of excuse for not joining him costs the town 3*s.* 4*d.* Subsequent proceedings are in keeping with these entries, as we might expect when we remember that not long afterwards Warwick was made Captain of Calais. From his stronghold on the French coast that great chief dominated the Straits for many years before he became, on the accession of Edward IV., Warden of the Ports. As Admiral of the fleet appointed to guard the seas he had every opportunity to impress the Portsmen with his commanding qualities; Calais became the centre of the Yorkist strength, and the coast of Kent the safe landing-place for their troops when they marched upon London on their way to win the battle of Northampton. When, shortly afterwards, Edward was proclaimed King, the following entry occurs in the Romney archives:—

Edward, Earl of March, by the older and wiser of the people of the Kingdom of England, with the intervention of Divine Grace, was called and by the concurrent voice of the people was accepted and chosen as King, to whom it belonged of mere hereditary right, &c.

Then follows his pedigree.

To judge by Lydd records, a strong contingent may have gone up from some of the Ports to the North with the Yorkist force; for that town certainly sent soldiers to the 'jurney of Northampton' and the 'jurney of York' (Towton field); but the Cinque Port banner is not mentioned as flying in the ranks at Towton, along with the Harrow of Canterbury, the White Ship of Bristol, the

Black Ram of Coventry, the Leopard of Salisbury, the Wolf of Worcester, the Dragon of Gloucester, the Griffin of Leicester, the St. George of Nottingham, and the Boar's Head of Windsor. It is also possible that Lydd and Romney may have been specially influenced by the Yorkist Archbishop, Bouchier, their common lord, whose good-will is constantly propitiated, like that of Jack Cade, by presents of a porpoise and fish of different kinds. In 1470 Lydd gives pay to 21 men 'goyng on the viage with the Lordes of Clarence and Warwyck,' amounting to 7*l.* 6*s.* 8*d.*

Sandwich had a painful experience of its own at this time, which was not likely to increase its affection for the Lancastrian government. It had suffered from a French attack in 1435, an indication of the effect of the Congress of Arras in breaking up the English position. It was now walled for the first time; but before the defences were finished, was again attacked in 1457. There had been however a stout resistance; and in the same year the Marshal de Brézé—Peter Brice, as the English called him—was sent to finish the work. He suddenly attacked the town again with so large a force that 'after a long and bloody conflict he got possession of the place, plundered it, and immediately re-embarked his troops.' If it is true that this devoted friend of Queen Margaret was instigated by her to make this attack, we need not wonder that the Cinque Ports took up the cause of York. It is to this event that the records of the Port refer:—'A bullwerke shal be made at Fyshergate in all haste of breke,' and another that every barrel of herrings shall pay 4*d.* towards the repair of the town. In 1459 the cess collected for

fortifying the place is to be apportioned to the constable and commonalty of each ward. It was to Warwick and the Yorkists that the Cinque Ports looked for protection from such attacks, and not in vain; nor did they the less join in the rejoicings over the Earl's combat with a superior Spanish fleet, that the armament was in reality an adventure of Lübeck merchants with whom there was no war. Right or wrong, there was a squadron ready to fight, and a man quite capable of leading it. We hear little of Dover in these times. Protected by the Castle, it was not exposed like the other Ports to French raids, but there is unmistakable evidence that, like the rest, its sympathies followed the fortunes of Warwick.

We have now noticed all that the meagre records of the period tell us as to the collective history of the Confederation. From this time forward it becomes of so little national importance that we may more conveniently deal with its last remnants under the separate notices of each Port. The Armada will fall under the head of Dover, the leading Port of the period. A brief notice of their common Parliamentary history is however required to fill up the sketch already presented.

The peculiar place occupied by the Cinque Ports in their prime prepares us for an exceptional place in Parliaments, both before and after their regular commencement under Edward I. Renouncing on the one side all theories drawn from the supposed connexion of the Ports with the early growth of the House of Commons, and on the other all analogies between them and the little places from which kings or sheriffs called up,

or omitted to call up, representatives as it suited their own interests, it may be laid down that their position was entirely *sui generis*, and forms a not unimportant, though neglected portion of constitutional history.

Certain circumstances may be held to connect the Barons of the Cinque Ports directly with the Great Councils and national assemblies which preceded representative Parliaments. Amongst these are the exclusive mention of their privileges along with those of London in Magna Charta, and their special designation in 1246 as '*nobiles Portuum maris habitatores*.' (when Hallam thinks it probable their delegates were summoned by special writ). But if these indications were wanting, we could not doubt that the only corporation which took rank with that of London in early times, and was differenced off from all others by its military service, its special functions, and its peculiar situation, would be at least associated with London when the country required advice on matters concerning commerce or defence. We may well believe that the Ports formed a distinct part of the *regni totius universitas* in 1237; and long afterwards their delegates were present at the deposition of Edward II. We are not then to consider their representation in Earl Simon's Parliament of 1265 by four Barons from each Port—twenty-eight in all—as a new or extraordinary thing. It was of course natural that the Earl should summon a large contingent of his friends; but even if his summonses were as partial as some have supposed, such a lavish representation of a friendly cluster of towns would have been invidious in the highest degree if their delegates now appeared in a national council for the first time.

We may contrast this position with that which the Ports assumed when Parliaments became regular. It was not for 71 years after the meeting of the first Parliament of Edward I. that their Barons took their seats, two from each Port, though registered each year as 'summoned,' in and after 1322. It appears then that, when required for advice and consultation, there is every reason to think they were willing to be present: when required for purposes of taxation, they were permitted for a long series of years to absent themselves. The reason is obvious. The Ports were not only privileged with immunity from the national jurisdiction; they were exempt from the assessment of national taxation. They had never been subject to scutages, and were freed from the usual tallages by Magna Charta, quite independently of the 'tallage' from which the Charter of Edward I. exempted them—probably a fixed sum known by that name. Anyhow these taxes had now passed away, and the revenue was granted by Parliament on subsidies, or fifteenths and tenths levied on movables. As early as 1304—and probably much earlier, we find the Ports exercising their privilege of 'making a fine to the King for their share of the quinzime,' or fifteenth, and paying it in a gross sum, assessed in their own way; and we learn that besides London, which seems to have relinquished the practice as soon as regular Parliaments began, the Hospitallers of St. John of Jerusalem and the Knights Templars alone shared the privilege with them.

This payment of a fifteenth was the same as that allotted to shires; but the Barons naturally felt that to appear in Parliament might soon subject them to be

included amongst boroughs, which paid a tenth, besides a double burden of payment for representatives at two places, Westminster and Shepway. It was their obvious interest to keep away, and the Kings no doubt approved. We hear of no fine, no reprimand,—even after the issue of writs of summons. The affairs of St. Mahé and the Swyn occurred just when regular Parliaments began. Edward I. would be the last man to desire the presence of fourteen nautical politicians, such as had given him so much trouble. His son and grandson would also look upon the Barons rather as fighting men than civilians. We may then regard the change, when it took place in 1366, as a sure mark of the development of the Lower House, already learning its power, and beginning to be courted by opposite parties. Both the King and the Barons would now find their advantage in the attendance which had been so long withheld. Further, it was from the Commons, not from the Kings, that assistance was to be obtained for walls and harbours, and mitigations of service, and it was this which probably settled the question; yet it was some years before the attendance of Cinque Port members became quite regular. Fortunately just at this very time, when the Barons had relinquished their prized seclusion, and had not yet fallen into the undistinguished ranks of common burgesses, we happen to possess an account of their position by an anonymous contemporary.

The *Modus tenendi Parliamentum* has been the battle-ground of critics, but is now admitted, with the exception of the preface, to belong to this period, and is very unlikely to be inaccurate in describing well-known details. From this remarkable treatise we find

that the Cinque Port Barons in Parliament distinctly held a middle place between the superior clergy and baronage on the one hand, and the inferior clergy, knights, citizens, and burgesses on the other. The maximum of their wages for attendance is far higher than in any other case; the order of calling-over separates them from Commoners, and ranks them with Earls and Barons; the scale of fines for non-attendance places the Cinque Ports (as Baronies) along with Bishops and Barons. With this agrees the mode of diction employed in the *Liber de antiquis legibus* when noticing Earl Simon's Parliament. His summons was addressed to the 'Earls and Barons of the whole kingdom and of the Cinque Ports.' Perhaps it was not till the Cinque Ports had given up the hope that their representatives would sit in the Upper House when the division came to be permanently made (with their peers as they called them in the letter of 1293) that they lowered their crests and found what was after all their natural and proper place. Still their title of 'baron' continued to be used in Parliament for centuries. A remarkable instance, involving a dispute between the two Houses, occurred in 1606.

As the franchise was distributed at first, so it remained down to the time of the first Reform Bill. In 1833 Romney and Winchelsea lost both their members of Parliament, Hythe and Rye one each. In 1885 Sandwich and Rye disappeared. Three members only—one from Hastings, one from Dover, and one from Hythe (with Folkestone)—now represent the fourteen who linked for nearly five centuries the Middle Ages with modern times.

CHAPTER VII.

THE CINQUE PORT INSTITUTIONS AT WORK.

The Yarmouth Fair—The Cinque Port Bailiffs at Yarmouth—Close of the guardianship—The Brodhull, Brotherhood, and Guestling—The common 'Purse'—The 'Court of Shepway' at Dover—Changes of character in the Wardenship.

WE have already remarked that the Cinque Port institutions seem to have derived their origin from the business of the Confederation at Yarmouth Fair, with which we must therefore begin; but the traditions, both of Yarmouth and the Ports, which assign to that Fair a continuous history of 1,200 years cannot of course be depended upon. The earliest historical notice of it which has escaped the wreck of ages would seem to be the charter of John, where the right to 'den and strond' at Yarmouth is mentioned as one of the numerous ancient franchises of the Ports. The real antiquity of this right has however to be inferred from the circumstances both of these towns and of Yarmouth in the earliest times. Of the herring-fishery, the historical importance of which, both on our own shores and those of the Baltic, is well known, it is enough to say here that there never has been a time when the East Anglian coast has not been a favourite resort of these fish, attracted about Michaelmas, their spawning season, by the nature of the bed of the sea, perhaps also influenced by the meeting of

the tide-streams. Long before we could expect to obtain historical evidence it may be safely asserted that the Cinque Port fishermen went forth at that season upon their track. Even their Yarmouth rivals have always admitted that they were the first and chief navigators and fishermen of England. No doubt they were; and we have seen the reason why they became so. The rise of Yarmouth is not itself matter of inference, but, in its main outlines, of history.

On the banks of the Yare the Roman fortresses of Garianonum (Burgh Castle) and Caister, on either side, had been the main defence of the coast under the guard of the Count of the Saxon Shore. The English settlers naturally took to a place at which some conveniences no doubt already existed. In the course of time a sand-bank formed at the mouth of the river and obtained the name of 'Cerdic's sand.' The received tradition is that the Ports fishermen, long before their harbours were officially recognised as Cinque Ports, took possession of this bank, of these 'dennes' or low salt-marshes, a sort of no-man's-land, and used them for drying their nets and packing their fish for sale. This practice developed into an annual Michaelmas Fair, attended by great numbers of Londoners, coast-men, and foreign fishermen from the Low Countries, France, and elsewhere. But the visits of the Portsmen, though annually recurring, were short; and the neighbouring population began to form a permanent settlement, making however no difficulty, or at least none noticed by any tradition, as to the practical headship of the Ports in all matters concerning the Fair. The position of the Portsmen was not seignorial as to the land, though they were

receiving at the earliest known date rents from lands and tenements on the island, but paramount as to all matters concerning the sale of fish, the resort of fishing-vessels, the order of the Fair, the removal of obstructions, and the maintenance of the beacon-fires necessary for navigation. In short, their place is plainly one derived from ancient prescription, and not from grant. If the latter had been the case, some tradition would have survived either at Yarmouth or the Ports, some challenge of the position from those vitally interested in denying it—some marks of a beginning. There is nothing of the sort. Whoever first granted the Cinque Ports a charter, confirmed what they already possessed.

The King was lord of the land at the Yare mouth, a gift of the sea which only gradually ceased to be an island. In Domesday Book it is recorded as *terra regis*, with 70 burgesses. The town had been the natural growth of the seafaring population of the East coast. Huts had gradually taken the place of the first rude temporary shelter at the Fair; houses had superseded huts as the land grew more firm with time; while the portreeves, admitted to have been of old appointed by the Cinque Ports, gave place to native 'provosts,' first established by Henry I. in 1108. The rising town had by this time become important enough to possess a fine church, the famous St. Nicolas's. This was rebuilt or enlarged by Bishop Herbert Losinga from an earlier fabric, in the advowson of which the Cinque Ports seem to have had at least some claim. Thus Yarmouth was prepared to become one of the numerous towns chartered and incorporated by King John, the

patron of the seaports. In 1209 it became a Free Burgh with all the usual privileges, such as a merchant-guild, power of trying pleas of the Crown 'as at Oxford,' and of electing a provost out of its own body.

The Cinque Ports now found themselves in close contact with a privileged community, and the position became much more difficult. The Crown perceived that its best policy lay in retaining and strengthening the supervision of a great national industry in the hands of the body which had organized it, and which provided an elaborate and time-honoured judicial machinery of its own. Nor were the Portsmen willing for a moment to entertain the idea of relinquishing their inheritance. The more difficult the task became, the closer they clung to an ancient, profitable, and honourable duty; but its exercise was now accompanied by violent disputes, sometimes, as we have seen, by ferocious conflicts. Neither side would give way. The local friction at the Fair extended itself to the towns of the coast, and the tribal difference between the East Anglians on one side and the Jutes and Saxons on the other was, like other family feuds, by no means less concerned in keeping the strife alive because its origin was so remote or the kinship so close. This is what is meant by the 'Yarmouth feud.' We have no details of the severe struggle which we know raged between the parties in John's reign, or the less severe contests in that of Henry III., and may at once proceed to the first serious attempt of which we have any record to compose the differences between the contending parties.

This was the work of Edward I. The 'Dite' was a compromise which recognized all the ancient rights of

the Ports, while it admitted for the first time the now powerful East-Anglian borough into a place of practical equality. A century of sanguinary efforts on the part of the Ports to maintain their original position was thus succeeded by laws which proclaimed that it had passed away. By this award the Ports were protected as of old in 'den and strond' without payment of custom, and Yarmouth was to keep them clear of obstruction; but the soil itself was now definitely stated to belong to that place alone. Yarmouth might also erect windmills, but only five of them. The Ports might recover their rents by writ. They were to retain their 'royal justice' and keeping of the peace at the Fair for 40 days, with four sergeants, one of whom was to carry the Ports-banner, another the brazen horn, each of the others a rod to keep the peace. The sergeants might appear on horseback. The Cinque Port Barons and the Yarmouth Provost were to hold Court jointly, using 'la leye marchande;' but the Barons were now prohibited from taking profits from any but the Ports suitors. So also the Barons and the Provost were jointly to keep the prison. The Barons were to retain their twopence a night for keeping each beacon-fire alight, but if they failed to do so, Yarmouth was to take the money and the responsibility. Distress for dues was to be levied jointly. Yarmouth was no longer to place guards on board vessels, and so to hinder the sale of goods. On the other hand the Barons were no longer to take the whole of the customs which used to be levied at 4*d.* a ship, but a lump sum of 6*l.* a year out of the whole. Hence we obtain some idea of the number of vessels frequenting the Fair; for the above sum represents 360

of them, and to leave any profit to Yarmouth there must have been many more, besides those of the two contracting parties which paid nothing. Finally, neither party was to take anything from minstrels or 'women of misliving,' previously a source of profit.

However intrinsically just the Dite may have been, it was but natural that it should cause much irritation in its actual working. The Ports were annually reminded of the extent to which their ancient supremacy had been whittled away. Hence perhaps the absence of all restraint shown when the frightful carnage took place under Edward's own eyes in 1297. It was evident that something more was required, and it was incorporated by Edward into the Ordinance of March 31, 1304. The Dite was confirmed: Commissioners were to see the nuisances as to 'den and strond' removed, and all grievances of the Ports redressed: but the latter were sternly threatened with disfranchisement if they failed in their duty at the Fair. The new point of the Ordinance is that the 'Guardians of the Fair, Bailiffs and Provosts,' are to inquire into and bring to trial all felonies and trespasses four times a year, at 'Vendages, Reke, Salison, et Haringeson.' These appear to correspond with the processes of first sale, smoking, salting, and delivery of the cured fish to the inland market.

In Edward III.'s reign there was a 'Statute of Herrings,' as well as certain Commissions of inquiry, and altogether much activity on the subjects of forestalling, regrating, and similar offences. Fresh petitions also from the Ports disclose renewed struggles, but their grievances are real, and the King takes their part in the Ordinance of 1352, confirming the Dite and adding

some useful laws. Amongst other things it enjoined a solemn Proclamation to be made at the opening of the Fair, which became an important institution, with the 'sergeants' on horseback, the demand for silence, and the three blasts of the brazen horn. There was no lack of ordinances and confirmation of ancient customs; but the Portsmen were engaged in a struggle which could end in only one way.

The decline of the Confederation and the vicissitudes of its several Ports are marked by the number of Bailiffs sent to the Fair. During the reigns of the three Edwards, and probably from very early times, the number annually sent averaged nine, of which Winchelsea generally, and Dover frequently, supplied two, but Hastings only one. They then fell off to four, when Hastings, finding that Winchelsea and Rye could no longer support their share of the burden, began to provide two,—a circumstance which has been used, in ignorance, to support a claim to premiership, a claim justly founded, but on other grounds. In the time of Elizabeth the number had settled down to a total of two, at which it remained. The Eastern and Western Ports now took the duty alternately, according to a fixed cycle. It may be taken as certain that the reports of these Bailiffs were made in a more or less formal manner to a general Assembly from the earliest times, and probably at Shepway; but the earliest which has come down to us is the 'Relation' made at a Brodhull[1] in 1433. Passing over the numerous illustrations, afforded by the Relations of that period, of the difficulties perpetually cropping up between the ill-matched parties, we come to the readjustments and improvements of the reign of Eliza-

beth. She and her judges (of whom Manwood was the chief) exerted themselves to put an end to these dissensions; but though an effort was made to turn the edge of the trouble by the proposed incorporation of Yarmouth as a Member of the Ports, it fell through, we know not exactly how, in spite apparently of the goodwill of the Yarmouth magistracy. Neither party seems to have been ripe for so sensible an arrangement. The troublesome 'Prenomination' question, concerning the order in which the two bodies should be named, was however settled at last by the award of Commissioners. In the annual Proclamations the Ports Bailiffs were now only to be named first every alternate year, a compromise which was much resented by the Portsmen; but there was no help for it. The arrangements as to the expenses of the Bailiffs at Yarmouth were now also placed, by decree of a Brotherhood, on a proper footing, worthy of the dignity of the Ports. The Bailiffs are to 'keppe house during the tyme of the Free Fayer,' and 'not go to borde by the meale as some tofore have done to the greate disworship of the Ports.' Each was to have an allowance of 20*l.* from the general fund for this purpose.

It was on this greatly improved footing that the annual visits of the Cinque Port Bailiffs were established when Manship, a Yarmouth writer in Elizabethan times, gave the following account of the order of proceedings. It bears on the face of it all the marks of genuine knowledge derived from a jovial experience.

Remarking on the 'Combaron Bailiff's house' being now hired by them—'for one of their own they never had,'—he tells us how these officers brought with them

their learned counsel, their town-clerk, two sergeants bearing white rods, a horn-sounder, banner-bearer, and jailer, and how, as soon as they arrived, they were courteously visited by the Bailiffs of Yarmouth; how on 'the next day, being St. Michael, the Combaron Bailiffs repairing to church to hear Divine service, the Bailiffs of Yarmouth do of their courtesy send for them to take place in the seats by them,' to which, says the narrator, with vigilant caution, 'they cannot challenge any right;' how they then come to the Court—the Bailiffs of Yarmouth in their scarlet robes attending on them,—make their speech, show their Commissions, and take their places by the side of the said Bailiffs; how they then take a view of the prisons and are invited by the senior Bailiff of Yarmouth to dine, and by the junior to supper, 'where in most friendly manner they the whole day do royally feast and be very merry together.' Next day the 'quest of the Free Fair' is prosecuted by six men of Yarmouth and six of the Portsmen whom they bring with them. On the second Court-day the junior Bailiff of Yarmouth

provides an elegant dinner whereat not only the Combaron Bailiffs, with their whole retinue, but also the Aldermen of Yarmouth, their brethren, with their wives, be solemnly invited to accompany them; where in like manner they do with great cheer very friendly pass the time together. The Combaron Bailiffs during their stay of 21 days [reduced to that amount from 40 at which it stood as late as the fifteenth century] keep a very plentiful table, and generously entertain not only the principal gentlemen of the town but also those of the country, and as it were keep open house for their countrymen during the season, who come at their

pleasure to make merry with them; and for the better supporting the expense in a plentiful manner they commonly bring sixteen or eighteen hogsheads of excellent beer with them.

Finally Manship describes the solemn farewell entertainment of the third week,

'a very costly and sumptuous feast' given by the Combaron Bailiffs to those of Yarmouth and to 'other the substantial lest sort of inhabitants' of that place, 'with their wives also, and yet be not any good fellows excluded the company, where all sorts of delicates be provided which may be had for money.'

Thus no one could say that the creaking wheels of diplomacy were not greased with the unction of hospitality. Manwood's award worked well on the whole, as we gather from a highly pacific Relation of 1604; but very small affronts were sufficient to disturb this amiable attitude, and many were offered by the Bailiffs of Yarmouth which were far from small. Their refusal to allow their colleagues to view the debtors' prison renewed the old bitterness, which in 1612 found vent in unseemly efforts to jostle the Portsmen out of their customary position of dignity both in Court and at the reading of the Proclamation. In 1616 one of the Cinque Port officers was grossly outraged, nor could any redress be obtained. Exasperated beyond measure the Brotherhood ordered the Bailiffs to wear their hats in Court by way of asserting their position. But even this terrible resolution had no effect. Yarmouth was incorrigible, and made the place too hot for its visitors. In 1657 they refused to stay to be insulted, and were fined accordingly

when they presented themselves at the Brotherhood. In 1663 the Cinque Port Bailiffs made their last visit.

It is, however, evident from the preceding narrative that the elaborate machinery adopted for the sake of the fishing-industry of England cannot be said to have been useless because it was now completely worn out. It had been both stout and elastic enough to stand the wear and tear of at least six centuries, to which we may reasonably make some addition for pre-Norman times. The Fair had been kept free to all comers; order had been preserved; the people of England and other countries had been served with good fish, happen what might to other articles of food. Further, it has been observed by a modern Yarmouth writer that the discontinuance of the Cinque Port supervision, obsolete as it seemed, was, as a matter of fact, followed by a distinct national loss. Free trade, the very essence of the Fair, came abruptly to an end. The Yarmouth corporation had in fact been contending, not for the townsmen, but for themselves. They drove off foreign fishermen, and reduced the trade so greatly that much of it went at last to some of the very Cinque Ports against whose control they had rebelled. It was not till 1709 that the illegal proceedings of the corporation were brought to an end by the Court of Exchequer.

It may be remarked that the great Norfolk fishing-port continues to hold a place in modern times of much the same importance as of old, and identified with much the same pursuits. Sea-changes have not affected the coast in the same manner as in Kent and Sussex, though Yarmouth Roads are not what they were. The quay is still held by some to be the finest in the world; the

'dens' find abundant modern uses; the fishing-fleets still make the 'Yarmouth-bloater' a household word; and the interesting 'Rows,' with the peculiar fish-carts which traverse them, still tell, though in diminished condition, of the older social life.

The Assembly called a Brodhull, and afterwards Brotherhood, to which the above reports were made, had important functions besides the supervision of the Fair, but the Yarmouth business regulated the times of meeting, and whether other matters required attention or not, was always pressing. The spring session, which had long been used for the express purpose of hearing the 'Yarmouth Bailiffs' of the preceding year make their 'Relation,' gradually dropped off, and that process came to be deferred till the summer meeting of St. Margaret's Day (July 20), when the new Bailiffs were always appointed. But it should be observed that though these annual meetings were the rule down to the end of the sixteenth century, the form of demanding, by a letter from the Speaker to each Port, 'whether a Brotherhood or Guestling is necessary to be arreared this year,' was never omitted before a summons. The Speaker was the chief officer of each of the seven Ports in rotation. The Assembly consisted of representatives, appointed by the local Assembly at each of the seven Ports. Each of these Ports sent up its Mayor (formerly the Bailiff), three elected jurats, and three elected commoners, or 49 in all; a number reduced after the Middle Ages to five each by abstracting a jurat and a commoner. The Guestling consisted of the Mayor (formerly the Bailiff), two jurats, and two commoners from each of the seven Corporate Members of the Ports,

to which in modern times was added Deal. When both sets of representatives were assembled they were called a 'Brotherhood and Guestling.'

The non-Corporate Members were unrepresented; for they had no corporation which could elect and send delegates. The 'Guestling' is said to be so called because it was composed of guests who could not meet unless summoned by the Head-Ports, but is much more probably named from the very ancient town of Gestlinges, near the border-line of Kent and Sussex, which gave its name to a Hundred, and where they may in old times have met. It did occasionally assemble separately from, but almost always along with, the Brotherhood; yet as even the Corporate Members had no share of any sort in the business of Yarmouth Fair, the Guestling did not join the Brotherhood on the first day, when those affairs were in hand, but afterwards. The various uses of these terms are rather puzzling, for though 'Brotherhood and Guestling' is the technical phrase, it was latterly often abbreviated to 'Guestling.' The Eastern and Western Head-Ports also sometimes met separately; but these exceptional Assemblies need not be noticed.

The process of changing the ancient name of 'Brodhull' to 'Brotherhood' can easily be traced in the local records of the fifteenth century. When the name had so long passed away from the place that its very memory had disappeared, it became to new generations unintelligible. It then began to appear only intermittently, a new name gradually taking its place, spelt in various ways, but subsiding in the records kept during the reign of Elizabeth into 'Broderield.' We find indeed an

instance of the use of this term as early as 1490. It was a form of 'Brother-guild,' and in time came to be 'Brotherhood,' a term appropriate enough, and probably chosen because it would be useful and popular, but quite incapable of derivation from 'Brodhull.' The late Mr. Riley, whose memory will always be honourably identified with the Cinque Port Records, saw this plainly enough, and suggested a derivation of 'Broderield' from Bromehill or Promehill, the town engulfed in 1287. But this is quite inadmissible, as is also the derivation suggested by Mr. Jeake, who thought the original form was 'Brodall' or 'Brothers all.'

If the majority of the Ports answered the Speaker's question in the affirmative he issued, forty days previously to the day of meeting, a letter, the form of which was carefully followed on each occasion, inviting his 'loving brethren, combarons, and friends' to meet at 8 A.M. on the day appointed, almost always at Romney, but not necessarily so, for they certainly met once at Sandwich, and once at Dover. The letter was signed by the Mayor and jurats of the Speaker's Port. The order of sitting at the Brotherhood is thus given by Mr. Jeake, Town Clerk of Rye, who wrote in 1678, while the Assemblies were still in action. Supposing Hastings to have the Speaker, the next in order were Sandwich, Dover, Romney, Hythe, Rye, Winchelsea, Seaford, Pevensey, Fordwich, Folkestone, Faversham, Lydd, Tenterden. 'If any port besides Hastings were Speaker, then the Mayor of this town [Hastings] sat on the Speaker's right hand and the Mayor of Sandwich on the left.' In the reign of Henry VI. the number of those who actually attended was seldom more

than 30 out of the 71 who formed the Brodhull and Guestling. In that of Elizabeth the attendance at the Brotherhood and Guestling ranged between 30 and 40.

The first business after that of Yarmouth was to fix the number, species, and tonnage of the shipping to be found by each Port, according to the demand made by the Crown. This, as we have seen, began even in the thirteenth century to vary from the original stipulated requirement, and thus the amount of the share of each Port was not a fixed quantity, but required constant apportionment on some definite scale, which gradually assumed a permanent form.

Nearly two centuries before the Cinque Port Register comes to our aid, we have the valuable reference on this subject already noticed in connexion with Parliaments, the arrangement made by the Ports with the Exchequer for the apportionment of the quinzime in 1304–5. Here we find that out of the 2,000 marks due for their share by way of fine, Hastings bound itself to pay 700, the remaining Ports, Sandwich, Dover, Romney and Hythe, paying 1,300 between them. Hastings was assisted in its contribution by Winchelsea and Rye. The next notice we have, after a long interval, is an agreement between the Ports, made on June 11, 1392, at a 'Brodhull' held at Romney. The Order now made is a confirmation of another, made at a 'Court of Schepeweye' before the Warden, Henry, Lord Cobham, which Order had stated the principle that the dues from the Ports known as 'Tallages, assessments, payments, and other charges' might be made in portions instead of in gross. This again is stated to be based on a former *Chartre d'accompte* made between

Edward I. and the Barons, no doubt the same as that which granted the privilege of assessing the quinzime in their own way; thus showing that the privilege extended beyond the quinzime to all other Crown dues. Hastings, with the assistance of Winchelsea and Rye, had on this occasion to pay one-third of the whole sum, Romney and Dover together one-third, Sandwich and Hythe one-third, a proportion nearly equivalent to the previous one, but more defined. The Order further proceeds to state how the proportion due from individuals is to be levied; and that not only the jurats and commonalty, but any aggrieved person whatever in the whole Confederation might claim that a 'Brodhull' should be summoned, if he is wronged on any point touching the charter, usages, or franchises of the Ports. Each of the Ports and each of their Members should incur a penalty of 20*l.* for non-attendance at such Brodhull, or for refusal to make their proper contribution according to the decision of the majority.

This *Chartre d'accompte* ranks only second in point of importance to Edward's general Charter. The general proportion of liability thus established at the opening of the fourteenth century was so well laid down that it remained but little altered for many generations; and out of the assessing power sprang an absolute freedom of appeal to an Assembly summoned for the express purpose of hearing it. The instrument of 1392, with the seals of the seven Ports (much mutilated), is still to be seen at Hythe, and there is another at Dover; possibly others elsewhere; but though these seals alone are appended, it is issued and witnessed by the '*Barouns de Cynk Portz, cest assavoir Hastings, Wynchelse, Rye,*

Pevenese, Romene, Hethe, Dovorre, Sandwych, Fordwich, et Feveresham pur nous et pur toutz nos membres.'

We have no actual record of the establishment of any unit of payment from separate Ports and Members till a century later, but it is then (1495) based on the same system of Thirds, and probably existed long before, as it certainly did long after. This unit of payment was called a 'purse,' and amounted to 4*l.* 7*s.*, made up by the contribution of half a mark by each of the seven Head-Ports, and the rest in proportion to their ability, as follows:—

	s.	*d.*	Totals *s.*	*d.*
Hastings	6	8		
Pevensey	3	4		
Bulvarhythe	1	8	13	8
Parva Higham	1	0		
Bekesbourn	1	0		
Winchelsea	6	8	6	8
Rye	6	8	10	0
Tenterden	3	4		
Romney	6	8		
Old Romney	1	8	11	8
Lydd	3	4		

	s.	*d.*	Totals *s.*	*d.*
Hythe	6	8	6	8
Dover	6	8		
Faversham	5	0	18	4
Folkestone	5	0		
Margate	1	8		
Sandwich	6	8		
Ramsgate	3	4		
Fordwich	3	4	20	0
Sarre	3	4		
Deal & Walmer	3	4		

Here the Sussex Ports and their Members contribute a full third; Dover, Romney and their Members a full third; Sandwich, Hythe and their Members rather less than a third. So many 'purses' were ordered at each Brodhull according to what was required for general purposes; but smaller sums were also required, in which case a 'half-purse' or less was ordered. This was called 'cutting the purse,' or according to an ancient joke, the Brodhull or Brotherhood became an assembly of 'cut-purses.' In the seventeenth century the simple plan was adopted of levying from each of the seven Ports in the proportion of 1*l.*, and from each of the

Corporate Members in the proportion of a mark, or in other words, at two-thirds of the assessment of a Head-Port. The case of Seaford was exceptional in this matter, as it was also in Parliamentary representation, which was quite independent of the Cinque Port system. Thus in the later Middle Ages the relative importance of the three ranks of the Confederation was carefully distinguished. The Cinque Ports and two Ancient Towns acknowledge their responsibility in spite of their decline; the Corporate Members bear each two-thirds only of the burden of their seniors; the non-Corporate from one-sixth to one-twentieth; but in the seventeenth century these last have altogether dropped out.

The regular annual Assembly of the Brotherhoods and Guestlings came to an end in 1600; and after 1663, when the Yarmouth business ceased, they met only on rare occasions. The Assembly of 1750 ensued upon an interval of suspension which had lasted 24 years; that of 1771 was purely formal; that of 1811 was of questionable legality; and at that of 1828 Rye presented a lengthy Petition which received no attention. That of 1866 was held for the purpose of electing a Baron to administer the Serement to the new Lord Warden, Earl Granville; but owing to certain difficulties which occurred on a question of precedence, no Installation took place. Lastly the Brotherhood of 1887 fitly commemorated the great national event of Queen Victoria's Jubilee. It was the first of these Assemblies held at Dover since 1575.

We need not follow the Register in the third department of the work of the Assembly, the defence of the Ports franchises and the grievances of particular

Ports or Barons. The value of the Cinque Port franchises was already beginning to pass away when the records were becoming regular. Centralization and improved communications gradually broke down, not only the taxation of feudal times and the need of frequent Assemblies, but the ancient usages which had grown up around the land-system. It was not long after 1517, when the treasured privilege of free purchase and sale in London had been adjudged in favour of the Ports, that they were practically deprived of it, and found their merchants deserting their ancient seats for the great city which was thus absorbing the very life of those who were its former comrades on the road to grandeur. James's charter to the Merchant Adventurers in 1617, broke up the trade of the Ports with the Low Countries, and rendered useless the special provisions for its prosecution which had been the work of ages. Finally, the rapid growth of the use of great guns in men-of-war, as well as the outburst of commercial enterprise to India and America, put an end to the function of the shallow havens which had once been all-important to the country, but had done their work.

In 1626 the Ports made their last contribution, on the demand of Charles I. They then supplied two ships, each costing 912*l.*, for the Spanish War which he threatened to declare. On the occasion of a subsequent demand of 900*l.* ship-money to equip 300 soldiers, all except Rye refused to pay. When in 1643 the king made a requisition of 1,000 foot and 100 horse, they contemptuously pleaded against him the charter of Edward IV. Thus Ship-service, the Yarmouth Fair,

separate law, and self-taxation became things of the past. The Lord Warden remained. To understand the growth of his position we must trace the decline of the Court of Shepway from the point at which we left its history in Chapter IV.

We saw that this venerable Court, restored by Henry II. and his sons to its Old English condition, independent of Sheriffs and Justices, but now with the Lord Warden at its head, had soon become a mere Court of Appeal, occasionally held. No records of its mediæval practice have survived like those of the Brodhull, by which Assembly it was practically superseded as a sort of local Parliament in the fourteenth century. The representative character of the Court—perhaps the earliest specimen of which we have certain knowledge—has remained to the last; but the Brodhull, gathering round it all that we associate with the idea of a free, popular, self-governing Assembly, had a very different history. Its 'Speaker,' its annual meeting, its taxing and assessing power, its prosecution of suits for the defence of common rights, tell their own story, and sufficiently account for its survival as a governing power.

The effect of the virtual supersession of the Shepway Court by the Brodhull Assembly was to draw the former (as a court for business) from a spot which there was nothing to recommend but its antiquity, to Dover, the locality of the President. But the Court was still retained in use for the Installation of the Lord Warden—too solemn and significant a ceremony to be transferred to a Brodhull, and we are thus enabled to form some idea of the periods of change. In the dispute which occurred in 1629 between the Earl of Suffolk,

Lord Warden, and the Dover Council, the latter resisted his attempt to hold a Court of Shepway for the purpose of his Installation at that place because, as they declared, such Courts (they must have meant as courts for business) had been discontinued for 160 years. The date takes us back to the temporary seizure of the Ports franchises in 1471. Down to that time a lingering respect for antiquity would thus appear to have restrained the tendency to settle the Court for business at Dover; and for more than a century after that date the Installations had still taken place at Shepway, till Lord Cobham broke through the custom by taking the 'Serement' at Bekesbourn in 1597. The alarm of the Council was produced by a fear lest Dover should lose the rights it had acquired by a custom of some thirty years' standing.

It would seem however that the establishment of the ceremony at the Dover Bredenstone—no one knows why that spot was selected—did not take place till the Restoration, or a little before it. It lasted for about a century; but it was not easy to invest the Bredenstone with the time-honoured sanctity of Shepway. The ceremony became obsolete after 1765—in which year the Duke of Dorset was the last to perform it; nor was it revived till 1861, when at the request of the Portsmen Lord Palmerston in a happy hour resolved once more to call a Court. Never was any revival less open to the charge of extravagant sentiment, more dignified by the manner in which it was performed. Should not some pains be taken to replace also the venerable cross at Shepway? Why should the means of identifying a spot, which to some people is only less interesting than Runnymede itself, have been allowed to disappear?

Having watched the dissolution of the Court of the Lord Wardens at Shepway as a court of business, we can now trace the process by which these officers grew to greatness upon its ruins; we shall next observe how they afterwards came to be stripped of all that they did not owe to themselves. Without attempting to make an elaborate classification of the changes through which the Wardenship of the Cinque Ports has passed, we cannot do wrong in ranking those who have held it under three successive phases of official existence, the military, the judicial, and the honorary. But there was no break in the greatness of the office, and perhaps a gain in its emoluments, when the princes, barons, generals, and admirals, who were sworn at Shepway and stationed at the head of the national force at Dover, passed away with the decline of the Ports and of the popular character of their ancient Court. Much the same sort of leading men succeeded to the appointment after the Middle Ages, but their position was of a different kind, and their importance was largely derived from the change which has been described in the Court over which they presided.

Dover having become the centre of the judicial system of the Portsmen, and the castle prison the prison of the Ports, the Lord Warden was officially cognizant of the trials at which prisoners were committed; many of the minor causes which used to come before the Court of Shepway were settled by him, and the Bodar [Bidder], or Summoner of the Ports, stationed at Dover, became practically his officer. At the head of his three special Courts he filled a place increasingly great as Chancellor, Admiral, and President of the Court of Lodemanage. The Fines from all of them came to him

by royal grant. His Court of Chancery, described in the time of James I. as a 'mixt Court of Starchamber, Chequer, and Chancerie,' was modelled on the High Court of Chancery, and grew up side by side with it in the fifteenth century. It was in this Court that all precepts and summonses were received and issued, and a jurisdiction arising out of such matters gradually formed, nor did it fall into desuetude till the present century. The Minutes, from 13 James I., are still accessible.

The Court of Admiralty is coeval with the office of Warden, but it existed in a very limited form for many ages. The business was in old times chiefly concerned with wrecks, which the King claimed if ships were driven ashore without any living creature on board, but all other wrecks—and they were numerous—belonged by charter to the Barons of the Ports. Gradually it came to pass that as their position declined, the Barons conceded, however reluctantly, a larger and larger share of their claims to the Lord Warden, till the whole fell into his hands. A code of laws highly favourable to the Admiral was adopted by the Court, and there were always a sufficiency of criminal cases to give a considerable practice to the lawyers. All this has now shrunk to trifling dimensions. The criminal jurisdiction of the Court has been abolished, and the practice is now very small; but there is still a 'Court of Admiralty of the Cinque Ports' presided over by a Judge, whom the Warden appoints. He also appoints Commissioners in salvage cases as arbitrators in disputes, the last remaining acts done by him in his capacity of Admiral; and he still claims a right to flotsam, jetsam, and lagan, or floating, cast-up, and submerged wreckage. In the church of St.

James at Dover, where all these courts were held, the great Duke of Wellington might be seen on court days, during his Wardenship, never omitting to take his place because the business had become trivial.

The Judicial Lord Warden, along with the development of the legal side of his office, lost none of the civil status of his military predecessors. He still stood as of old in the place of a sheriff of a county. The King's ordinary writs had no force without the sanction of his seal, thus exemplifying the legal proverb, *Breve regis non currit in Portubus.* Henry VIII., who had been Warden for many years, placed all his new castles under the control of the Warden. Thus at Deal, Sandgate, Sandown, Walmer, Camber, Moat's Bulwark, and Archcliff Fort, he had the appointment of officers and supply of arms. Even in Stuart times he 'commanded neere 4,000 men within the liberties, drawing a grete and honorable dependance uppon him.' In his possession of a hare-warren, by right of Dover Castle, of '30 myles about very neext, as good coursings and hawkinge as anie in England,' he was at least as well off as his predecessors. And it must be carefully noted that while increase of power was elevating the Lord Warden, the decline of the Ports was succeeded by absolute ruin, and their institutions dwindled to nothing; so that in comparison with the Barons, once so proud and independent, he towered above them to such a height as to occupy the whole field of vision. It was this overgrown position which led to the last of his titles to greatness, one of a more exceptionable kind than those already mentioned. The process must be briefly noticed, but it was much the same elsewhere.

The Portsmen were becoming poor in the time of the Tudors, and seats in Parliament valuable. Strangers began to encroach on the representation of the Ports, hitherto vigilantly retained by the Barons. Free Assemblies fell out of use; and the Lord Warden, taking advantage of this state of things, contrived to assume and pass on the privilege of returning one Member at least for each Port. No sooner did the usurpation become customary than he extended his privilege, wherever he could, to both the Members, making this practice also customary; and sometimes he returned the whole. This was effected by means of the corporations, which governed in the place of the old assemblies, and had become demoralized under a system of patronage. All through the sixteenth and seventeenth centuries the number of freemen, owing to the systematic increase of the fee for taking up the freedom, had been steadily diminishing; and the Mayors, growing in relative importance, like the Lord Wardens, now held themselves entitled to nominate their political friends to the franchise. Thus the vote for Parliament came to be confined to resident freemen, who gradually lost all notions of independence.

The Revolution of 1688 let in a little light. Parliament professed itself scandalized, and at once proceeded to abolish the Lord Warden's encroachments. Yet after all no real change was effected; and perhaps the Ports were as well off under one political master as under many. The Warden did indeed contrive even to retain his old control over the return at Dover; but at each of the other Ports some leading man of the day succeeded to the position he had vacated. They

thus fell, with many others, into the category of Treasury and Admiralty boroughs, and require no further notice from a parliamentary point of view. It was not thought expedient under these circumstances to fill up places in the council or commonalty, and the numbers of freemen came to be so reduced that at Romney there were no more than eight, at Rye twelve, at Winchelsea three. In 1825 these three places, along with Hythe and Hastings, could boast of an average of fifteen apiece amongst the five. Seaford might be classed with them. Dover and Sandwich scarcely retained any larger measure of independence, though the number of freemen remained much as it had been in old times; for the Government firmly kept its hold through the number of appointments under its control. The Municipal Corporations and Reform Acts put an end to this state of things; but it is only fair to remember that the system was a recognised part of the government of the country.

As we cannot pretend to fix a precise date for the changing of the military into the judicial Lord Warden, so neither can we say exactly when the office became honorary. The Revolution gave it a great shake, and paved the way for the final change. All the judicial positions, having been a source of income, lingered on, though out of date. Piece after piece of the solid matter was scooped away till only the thin rind of form was left, and most of that has now gone. The Court of Lodemanage was useful to the last, but it had to give way to the processes of centralization. As to the Warden's Admiralty jurisdiction, it would be easy to show from documents of the reign of Charles I. that its prac-

tical exercise had in many points become totally inconsistent with the proper management of the Royal Navy. But his position with regard to the Militia, Volunteers, and Justices of the Peace is still analogous to that of the Lord-Lieutenant of a county.

It is only necessary to name the Lord Wardens who have been appointed during the last hundred years in order to show how the greatness of the ancient office has, in the honorary phase of its modern existence, been maintained by the selection of the most distinguished men of their times. The appointment of Mr. Pitt is the first on a roll where his name is followed by those of the Earl of Liverpool, the Duke of Wellington, the Earl of Dalhousie, Viscount Palmerston, and Earl Granville. The total number of Lord Wardens varies in different lists, the times of civil war presenting especial difficulty; but according to one of the latest, the present holder of the office is the 148th.

The local Assembly at each Port was the root of all the Assemblies and Courts noticed in this chapter. This was the Court, often called a 'Hornblowen,' at which Barons were admitted, Bailiffs and Mayors elected, accounts passed, town-leases granted, and by-laws made for the peace and order of the town. As the freemen diminished in number and lost their independence, so the Assemblies were gradually deprived of their functions. The corporation, as we have seen, usurped their place. The Courts of Record established by the charter of Charles II. played a great part in the process of stealing away the importance and usefulness of the local Assemblies, and so bringing them to an end.

CHAPTER VIII.

THE MODERN HISTORY OF THE CINQUE PORTS AND THE TWO ANCIENT TOWNS.

(1) *Hastings.*

THERE are fewer records to be found at Hastings than at any Head-Port, and considering that in the last century it had sunk to the dimensions of a petty village, we may be thankful that there are any at all. We have briefly glanced at the premature decline which led to the transference of such few of the inhabitants as remained in the fourteenth century to the New Burgh. This therefore grew from a small suburb on the Bourne to be Hastings itself, and became the parent of what may be called the third Hastings, the modern town, the building of which was commenced about the middle of the seventeenth, but made slow progress till towards the close of the eighteenth century. Then the great seaside rush of modern times began to raise it into the rank of a fashionable watering-place, and the next generation began to add the adjoining town of St. Leonard's. With these recent changes we are not concerned any further than as the present new towns are an offshoot of the Premier Cinque Port. As the very site of the first town, or most of it, is under the sea, it is at the second Hastings, in the valley of the Bourne, that we

are to look for what remains of the Cinque Port institutions, the Court House and 'the Hundred.' No traces of an inlet now break the coast-line; scarce any vestige of antiquity rewards a search. St. Clement's and All Saints' churches still present some late-mediæval features; but even the ruins of St. Michael's, the earliest church in the Old Burgh, dedicated to the patron saint of Hastings, have disappeared in recent years.

To make a great leap through the centuries, we obtain at the close of the fifteenth a notice of the military strength of Hastings. At that time its land force was reported at 30 archers, 30 bill-men, and 100 men incompletely armed; and in 1544 we come across a valuable indication of its real condition. In that year Seaford was incorporated (seemingly afresh) under a Bailiff and Commonalty, in order to give more aid to the

town of Hastings, one and the greatest of the ancient towns of the Ports aforesaid, and near the sea, where the entrance of our enemies and rebels may soonest appear, [which] is by the flux and reflux of the sea, and by burnings there often wrought by such our enemies, not only of lands and tenements but also of the inhabitants so reduced to waste, destruction, and poverty, that the said town, or the Barons and approved men of the same, are not sufficient to find their part of such shipping to Us and our heirs as they ought, of their own strength, without insupportable expenses.

This depressed condition was no doubt the cause of the long delay which occurred in granting a new incorporation to Hastings under a Mayor. That did not take place till 1588, and so it came to pass that the Premier Port was the very last to be thus dignified.

NORDEN'S MAP OF THE COAST OF EAST SUSSEX.

PEVENSEY RAPE
HASTINGS RAPE
Oxney Island
Pevensey Mershe
Anno Domini 1616.
The Scale of miles
1 2 3 4 5 6 7 8
Rotherfeild
Mayfield
Crowborough hill
Hyndall
Hartley Bacon
Burwash
Burwash Beacon
Dallington forest
Dallington
Brightling
Mountfield
Sedlescombe
Ashburnham
Battle
Crowhurst
Hastings
Rye
Winchelsey
Camber Castle
Camber Gelles
Brenhill church decayed
VINDELIS
Old Winchelsey Drowned
Pevensey
Westham
Hurstmonceux
Warbling
Hooe
Ninfield
Catsfield
Bexhill
The Pell
Crowhurst
Ore
Hollington
Ashburnham
Hastings haven intended
Cuckmere haven
Pevesy Haven
Eastbourne
Willingdon
Jevington
Wilmington
Alfriston
Seaford
Sutton
Berwick
Alfoldon
Middleton
Winton
Frosfarte
Norden
Bodiham
Northiam
Beckley
Udimore
Broomhill
Guilford
Marshe
Wigmore Chan
Kent Ditch
Fairfield
Brookland
Ickham
Wye
Stowting
Postling
Lympne
Peasmarsh
Newenden
Sandhurst
Wyfold
Eridge
Frenchis
Brickfinole
Borrill
Rother flu
Pashley
Tysehurst
Hawkwood
Sockbridge
Rotherbridge
Rotherbridge Abby
Fairlight
Tufstone
Stapley Beacon
Mountfield
Brightling
Dallington
Heathfeild
Blackhouse
Wilderne
Crowborough
Eastwood
Netherfeild
Darwood
Penhurst
Crowle
Buckhurst
Boreham Chapel
Hurstmonceux
Hailsham
Mydletham
Chaunton
Ripe
Langhton
Bentley
Hellingly
Vertwood
Chitinglo
Hawkland
F. Hoadly
Chit-man
Wylie
Crockfted
Framfeild
Harlings
Hamfted
Cadsbrook
Pownfley
Burwash
Dallington forest
Sockbridge
Rotherbridge
Mountfield
Sedlescombe
Udimore
Brede
Battle
Peasmarsh
Ickham
Winchelsey
Mayfield
Postling
Stowting
Lympne
Ninfield
Catsfield
Crowhurst
Ore
Hollington
Hastings
Peppingham
Wartling
Hooe
Bucksteps
Merchate
Cowling
The Pell
The Salace
Norfly Cha
Bexhill
Sidly
Wartling
Westham
Pevensey
Langney
Cumbersand
Camber-cast
Old Winchelsey Drowned
Ashburnham
Ballyflow Beacon
Gestling
Stonelink
Pett
Fairlight
Hastings
Peppingham
Ore
Crowhurst
Ninfield
Catsfield
Merchate
Buckhole
Sidly
Hooe
Wartling
Hurstmonceux
Boreham Chapel
Bucksteps

Perhaps because its state was considered hopeless, the Crown did not begin to turn its attention to Hastings till the time of the Tudors. These Sovereigns encouraged the repair of the old 'harborough;' which however came to nothing. The grant of Elizabeth's charter, the only one in possession of the corporation, being made in the very year of the Armada, had perhaps some distinct reference to the gallant assistance given by the Port on that occasion. Their contribution consisted of 20 vessels of from 12 to 42 tons each, manned by 32 masters and 326 seamen. Three of them of the larger tonnage mentioned, named the 'Anne Bonaventure,' the 'John,' and the 'Gift of God,' figured in the ever-glorious fleet; the rest did good service in other capacities.

Elizabeth's charter, after granting the change from a Bailiff to a Mayor, establishes the number of jurats at 12, as of old, and gives the 'Mayor, jurats, and commonalty' the power of making statutes and ordinances for the good regulation and government of the inhabitants. The Mayor is to be chosen in the same way as the Bailiff used to be chosen (by the commonalty); and the jurats are to be chosen by the Mayor and jurats from among the commonalty. The Queen also granted to the corporation 'the stone beach,' an invaluable gift, and other property, subject to a rent-charge of 25*l.* a year, as also certain ecclesiastical funds which belonged of right to the Crown.

These substantial encouragements tempted the people of Hastings to exert themselves in the formation of a pier which was to compensate in some degree for the loss of harbours, but after about a century of abortive

efforts, the waves entirely destroyed their work. Nothing could have rescued the place from the oblivion which seemed to be its fate but the circumstance of its attractiveness to modern visitors.

The history of the castle sufficiently explains how it failed to assist the town and port to avert their ruin. Being in the hands of foreigners who were excluded from it by the separation of England from her Continental possessions, it was soon afterwards allowed to become ruinous, and as early as the beginning of the fourteenth century was fit for nothing more warlike than to be handed over to ecclesiastics as a place of residence. The Counts d'Eu held it till 1221, when it lapsed to the Crown; and under the Earls of Richmond, who were also Dukes of Britanny, it fell to pieces irreparably. The Lancastrian kings having come into possession, the ruined castle passed from them to the family of Hastings, afterwards Earls of Huntingdon, and then to the Pelhams. Its area now forms a recreation-ground for the inhabitants, and its ruins an interesting historical study,—no slight addition to the advantages of the place.

(2) *Sandwich.*

As a living specimen of the ancient Confederation in its declining period, Sandwich stands unrivalled, or only rivalled by Rye. The present Hastings is modern. Dover possesses a few objects of interest in the midst of a modern town. Hythe has all but lost the character of antiquity; nor is Romney, though more rural and retired than Hythe, very unlike any other small country town. Winchelsea, the delight of artists, is to every-

one else a melancholy wreck. Sandwich and Rye alone, when deserted by the sea, have been saved by their rivers, but for nothing better than a feeble and attenuated thread of life. Both alike wear an air of patient and touching acquiescence in the fate which time has had in store for them. At Sandwich a diminished and a humbler population fill the place of their forefathers; the area of the town is still enclosed by the same lines as when 'Peter Brice' broke down its new-made walls in 1457, and the ditch with its rampart surrounds a rectangular space large enough for many more than the number of its present inhabitants.

It seems at first sight strange that the houses of Sandwich should bear no trace of mediæval magnificence, and little of age; but it is easily accounted for. When the merchants and seamen of the town were rich they no doubt spent some portion of their gains on fine wooden mansions, such as may still be seen in the mediæval seats of the long-extinct Suffolk woollen factories; all these disappeared in the French wars and under the stress of time. The houses which took their place were the unromantic dwellings of a later population, not very prosperous; but they occupy the same winding streets, and few of them are new. Arrested at a certain stage of decadence, a moderately old world still confronts the visitor. One or two old gates survive to tell the story of the later Middle Ages: the noble tower of St. Clement's proclaims the grandeur of the early times: a few barges at the river-quay prove the existence of life; and over the marshy land you may see the lofty sails of one or two more, apparently sailing opposite ways, but engaged in making their

tedious nine-miles course by the many-winding reaches of the Stour to that faithless sea on the shore of which, once at her gates, the favoured town of Cnut and the Confessor long sat a queen.

Sandwich has another advantage over most of its companions in misfortune. A respectable continuity of existence has preserved its records in a very complete form, nor have they ever been carried off from their proper depository like too many of those which should be at Dover. Beginning in the reign of Henry VI., they are thus coeval with the Cinque Port Register kept at Romney. Some valuable collections for the ancient history of the Port were compiled from these papers in the last century by William Boys, a member of a fine old Cinque Port family who has done honour to his kin. To these the Historical Commissioners have not thought it necessary to add further specimens, but he has left a good deal for those who may some day continue his work.

Henry VII., in 1492, used the Cinque Port Navy, like his predecessors, to transport his army to France and back; he had no reason to complain of Sandwich loyalty in defence of his crown. When 'the King's enemies' under Perkin Warbeck appeared in the Downs, the 'trained bands' of the town (enticing them on shore at Deal, it is said) fell upon them so heartily that those who landed were all killed or taken prisoners, a service for which Henry 'gave grete thankes,' as well he might. Henry VIII. followed his predecessors in using the ships of the Ports for the passage of his troops to France; after which we hear no more of that last surviving service.

In Edward VI.'s reign the various causes of the

decline of Sandwich came to a climax. The 800 houses of old times had sunk to 200; and the customs had become so nearly nominal that there were not enough to pay the fees of the Customer; but the migration of the Walloons came just in time to check a further downward progress, and speedily infused some measure of new life. In 1565 there were 420 households, of which about a third consisted of refugees, soon to be largely reinforced under Elizabeth's patronage.

Of the Cinque Port squadron 'supplied at their own coste and charges' in 1588, Sandwich and its members certainly supplied one ship, if not more, for four months. This was named 'The Reuben,' and was hired at 20*l.* a month. To fight the Spaniards was a cause which English and Walloons alike considered their own. So also in 1595, when 'the Barons of the Cinque Ports sent out five serviceable ships of eightscore tons apiece for five months' service at their own cost and charges,' Sandwich sent one of 160 tons, of which tonnage Fordwich was to provide at the rate of 20, Ramsgate of 6, and Sarre of 4 tons.

Both Henry VIII. and Elizabeth were held in great admiration at Sandwich. The first is often called in the records our 'noble King Henry;' and Elizabeth's career was followed by the Council with pious anxiety. Thus the account of her treatment by her sister, indignantly noticed in the records, concludes with 'but the Lord God of heaven was her keeper.' Her visit to the town in 1572 is fully described in these records, but has found its way from them into Nichols' 'Progresses' under the wrong year. One of its chief objects was to inspect the arrangements made for the Dutch and Wal-

loon refugees who had been for several years escaping from the Netherlands, and were now openly encouraged by her to settle at Sandwich and other places. These poor people, it may be remarked, found themselves under severe discipline. 'The Dutch shall have their children baptized according to the order now here used, under pain of banishment,' says a Minute of 1571; and in 1584 we find that 'eight notorious drunken Flemings' were actually banished. It was considered of great importance that the Queen should see how the children of the settlers were being trained in industrious habits. 'Scaffolds to be erected in strand streets, and to be hung with black and white baize [the peculiar industry of the foreigners]; children to be placed thereon spinning yarn.' Various other peculiar and minute preparations are registered, but these may be read elsewhere.

Sandwich Bay was at this date all but choked up. The large Spanish ship belonging to Pope Paul IV., which ran ashore and could not be removed, had caused a great accumulation of sand and mud (as well as, we may be sure, no little anti-Papal feeling, expressed in the vernacular), but this was only one out of many signs of decay. For a long time previously the case of the harbour had been put before king after king—Richard III. in 1483, Henry VIII. in 1537 and 1541, and Protector Somerset in 1547,—but all apparently without effect, till in the year following the last application, the petitioners receive a characteristic grant in the name, and no doubt with the hearty good-will, of the youthful Edward VI. They are at liberty to appropriate for their purpose the entire proceeds of all the rich church furniture and ornaments to be found in

their three parishes. With some borrowed money in addition to this considerable fund some progress towards a cutting was made, with a view to draw off the waters of the Stour in a straight line, as it had run in former times, from Sandwich to the sea. The traces of this attempt are still visible, and are known by the names of 'Rogers' Cut' and the 'Old Cut.' No less than three Commissions were appointed during Elizabeth's reign to report and estimate; but all alike failed: and though plans with some prospect of success have found favour in modern times, the great waste of sand which covers the ancient harbour still remains unpierced and defiant.

Few towns can give a better account of the changes which have shaped their municipal government during the fifteenth and following centuries than Sandwich. It may be classed with the towns which exchanged at an early date their reeves or bailiffs, responsible to the King for his dues, for a corporation, with an elected Mayor and a body of 12 jurats, apparently selected by him. London only received its first Mayor in 1188 or 1191; Sandwich certainly had one Mayor, whose name is known, at some date before 1226; but from and after that date the list is continuous. Of these earlier days we could not expect to find any local record. The monks of Christ Church must have had from very early times their own Bailiff to receive their dues, but the prior did not appoint the Head Bailiff as the archbishop did at Romney and at Hythe; and in the fourteenth century the monks retire altogether. In short, in spite of the position of the bailiffs responsible to the king and to the monks, Sandwich, like

the rest of the Ports, was both before and after the Conquest, a sort of republic. It had its own Hundred-mote with criminal jurisdiction, made its own By Laws or 'Custumal,' was governed by its own Assembly of freemen, or 'Hornblowen,' and elected its own Reeve or Head Bailiff, long before he was turned into a Mayor, after which the King's Bailiff became a mere Custom House officer, subordinate to the chief magistrate. How long the farm which it paid to the King was subjected to the sort of increase which is described in Domesday Book, we have no means of ascertaining; but that it should be a fixed annual sum, and not subject to perpetual and irregular demands, was of itself in those days no small privilege. There were many reasons why towns desired to possess a Mayor, but the main one was that the governing body of which he was the head might be the collectors of this farm.

Up to 1454 Sandwich retained the form of government established by John or Henry III.; but in the course of the next ten years a popular element was introduced, as well as a system of election by householders; and now the borough came to be officially addressed as 'the Mayor, jurats, and commonalty of the Town and Port of Sandwich.'

The Mayor was not ill paid for the responsibility which he was not permitted to decline. In 1418 he was allowed 28*l.* and a tun of French wine which cost 12*l.*; in 1436 and 1456 40*l.* and a tun of wine; in 1552 the allowance was 50*l.*,—say 500*l.* of our money.

The Stuarts had no sooner succeeded to the throne than the Commons, who had so long exercised their privilege of free election, were deprived of their vote,

and Sandwich became a close corporation. The Minutes of the Town Council speak of the order received 'from the Privy Council and the Lord Warden' in 1603 as issued because of the 'insolence and disorder' of the Commons, and two years later Sir William Monson, a very capable officer, reporting to the Privy Council his proceedings against the Dutch ships lying off the Port, says that the people were thoroughly disaffected.

> Thousands beholding me from the shore, cursed both me and His Majesty's ship. But it was no marvel, for most of the inhabitants are either born, bred, or descended from Holland, their religion truly Dutch, as two of the grave ministers of Sandwich have complained to me, protesting they think that the town and the country thereabouts swarms as much with sects as Amsterdam.

The records show that Sandwich had earned a right to expect something better than the extravagances of the half-Dutch population which excited Monson's wrath. They display a zeal for public morals which the fifteenth century is not famous for exhibiting. As early as 1477 John Tolneham, the Mayor, 'did punish all leawdness, as swearing, drunkenness, and Saboth-breking.' In 1556 and 1557 all the bad houses were summarily put down. The Reformation was taken up with zeal, and the refugees (who benefited England largely, not only by their manufactures, but by their introduction of an improved style of gardening, and of certain vegetables such as carrots) found a congenial home; but their settlement drew after it the consequences which might have been expected. Archbishop Laud tried his busy hand at coercing these 'swarms of sects at Sandwich;' his vio-

lent and ill-judged methods could not but fail. Such ingredients, though of the most heterogeneous description, found a place at last in the national whole, but by no means as Elizabeth had intended when she told the ladies of Sandwich that she rejoiced she had 'come into the world to aid her subjects and the Church of God.'

(3) *Dover.*

Third in mediæval rank amongst the Cinque Ports, Dover has long been reckoned their indisputable chief. Its geographical situation renders it just as important to the national safety and convenience in the nineteenth century as it was in the first. This position, as we have seen, has been chiefly connected with its singular advantages as a place of passage, advantages inseparable from its liability to hostile attack; and to both these claims on the attention of the nation was added, until of late years, one of scarcely less importance, the superintendence of the whole pilot system of the neighbouring waters, so full of danger to the vast commerce which passes through the Straits to and from London and the North.

The rage for pilgrimages which distinguished the Middle Ages added largely to the gains as well as the troubles of a place which was the chief terminus of the roads leading to the South-east of the island. The Maison Dieu of Hubert de Burgh, besides its splendid hospitality to poor soldiers returning from foreign service (who might live there for a fortnight at free quarters), was a noble attempt to meet a real want arising from the irregular and uncertain assemblage of multitudes arriving from the continent. These were

of all nations and classes, often of the very poorest. Edward I. took measures for regulating the arrangements for transport, which were quite beyond the control of the Port; but his son's charter of 1312 calls for special remark. It is still in possession of the corporation, and finds a fitting place amongst the archives kept in Hubert's Maison Dieu, now redeemed from centuries of degradation. Not indeed that there has been any attempt to restore to its proper use the fine church attached to the Hospital by Henry III.; but the two buildings have been handsomely adapted to municipal purposes. This charter is justly claimed to be the foundation not only of the Dover system of passage-ships, but also of Cinque Port pilotage. It was expressly based on the principle of giving fair play to the poor in the matter of crossing the Channel; and it established on an equitable footing an already existing Company, in order that it might regulate, with consent of the corporation, the proper turn of each passage-ship.

Edward II.'s charter was also the basis of many other judicious rules which were defied during the disorders of the fifteenth century, though formally confirmed both by Henry VI. and Edward IV. Henry's charter, in 1440, recites the miserable condition of the town caused by inundations of the sea, and its inability to pay the sums necessary for its defence; Edward's refers to the petition of the Barons of Dover, which states that

> youre said towne is sette in the utterest place of this youre Reame, next under youre ennemyes, and hath no meane of comfort nor reliefe but onely by meane of the said passage.

These piteous lamentations were caused not only by

the decay consequent on the burning of the town in 1295, but by the subsequent fall of a great fragment of the castle cliff which blocked up the harbour, then at the East end of the bay. The Portsmen had, as we have seen, welcomed the advent of the Yorkists, but their friendly relations were gravely disturbed during the short triumph of the King-maker, whose popularity had given an advantage to Edward which he lost when the favourite changed sides. As Dover, like the rest, had joyfully opened its gates to the Earl, the King seized the liberties of the town into his own hands as soon as he recovered his throne; but shortly afterwards the Barons were restored to their ancient condition, with the difference that instead of an elected Mayor they were placed for a time under the government of one Thomas Hexstall, with the title of 'custos.'

The Tudor Sovereigns paid a far more intelligent attention to Dover than their predecessors. Henry VIII. spent vast sums in fortifying the town. Two of the castles which he erected out of the proceeds of the dissolved monasteries, Archcliff Fort and Moat's Bulwark, fell to the share of Dover, and the pier he built, with two round towers at the sea end, is well known from the contemporary picture. Either he or Queen Mary began the formation of the present harbour in place of the old one which was ruined. The first body of rules also for the Court of Lodemanage was laid down in his reign on the basis of those drawn up in 1495 by Sir Edward Poynings for passage-ships. The Court has had an interesting history, which affects Sandwich, Deal, and the 'Isle of Thanet,' as well as Dover. In 1853 however it came to an end, along with

the 'Trinity House of Dover,' which governed the whole system of Cinque Port pilots, and which was then incorporated with the central institution of the nation, the Trinity House of London. A silent change was already affecting them. They had in reality done their work. Improvements of all kinds, steam, lights, buoys, charts, and sailing-instructions were beginning to effect a revolution, and have by this time largely reduced the importance of the whole of the old pilot system, whether local or national.

The general progress of the Tudor works will be best gathered from Queen Mary's letter in 1556, where the Recital runs:—

Wheras the Queen's late father and brother of famous memory . . . and we ourselffe also, pityinge the great number of shipwrecks that daily happened about the narrow seas upon the coasts of this our realme for want of convenient ports and harbours, . . . have heretofore caused great and excessive sums of treasure to be bestowed upon the making of a pier or mole into the sea at our town or port of Dover, &c. [She approves the scheme of the Mayor, jurats and commonalty] not only to prevent these inconveniences, but also to make a sure and commodious haven, the platte of which devise hath been shewed to us.

This is the harbour we now see. The work was taken up by Elizabeth, who, declaring it 'a matter of great importance to the weal and defence of this our realme,' granted the corporation certain monopolies of imports and exports in order to provide funds. In 1565 however the place possessed no more than 358 houses; while its 'shippes and crayers,' varying from 120 to 4 tons burden numbered only 20, and the

persons 'occupied in merchandise and fyshing' only 130. The other Ports were in much the same condition in this reign, for Sandwich and Faversham alone could boast more houses than Dover; yet in 1588 the old Cinque Port spirit flamed up again to its full height of mediæval patriotism, and though their own vessels were poor little craft, the Ports contrived to raise among themselves the sum of 43,000*l.*, and to 'set out' with that money a handy little squadron of thirteen sail, which did its duty under the orders of Lord Henry Seymour. Every man in the Ports sprang to his post. To them fell the old duty of watching the coast, in which great numbers of their boats and 'crayers' were employed. They are said to have made the material for the fireships which did such execution, and to have supplied the ship (from Dover) which decoyed the great galleass on shore to her destruction off Calais. They certainly contributed their quota of 'powder and match.' To the Cinque Ports also, a little later, fell the lodging, victualling, and transporting of Elizabeth's troops to Portugal and France on those later expeditions which broke up the power of Spain. It was, as we have said, their euthanasia as a fighting force. They received the special thanks of the Queen for their service, and the position they had inherited, though but a ghost of the past, was now confirmed and assured by her charter. It has never been abrogated.

Under the Stuart Kings the government of Dover Port became strictly centralized, which was the best for all parties, and indeed a necessity. The corporation having surrendered all their lands and corporate rights to James I., he vested them in a special Board consist-

ing of the Lord Warden, his Lieutenant, and seven 'assistants,' who were not to be residents of Dover. This Board has been replaced by another, consisting of the Lord Warden, two burgesses of Dover, two persons nominated by Government officials, and one by each of the two Dover Railway Companies.

Dover is said, probably with truth, to have somewhat preceded Sandwich in the possession of a mayor. The elaborate entries in Domesday Book show that its franchises were already of ancient date, and the annual election of the 'Mayor' by the Barons was no doubt a continuation of the privilege of electing a bailiff, who had previously held the same place. He again selected, as elsewhere, the 12 jurats who, with the King's Bailiff in subordination to himself, formed the local government. The pay of the King's Bailiff was 12*d.* a day, found by the town. In the Tudor reigns attempts were made, on the ground of disorders, to limit the franchise. These issued in the permanent establishment, under Elizabeth, of a Mayor, 12 jurats, and 36 members of the common council, the Mayor being chosen by the resident freemen alone. The new jurats went through a process of nomination by the existing jurats from amongst the common councillors, and of subsequent election by ballot at the hands of the Mayor, jurats and common councillors. The Municipal Corporation Act has reduced this constitution to conformity with that of other boroughs.

Many interesting facts in the later history of Dover might fairly be introduced here; but they are either a part of our national history, or familiar enough to suggest omission. The tidal harbour has been kept from

silting up by modern appliances; the Admiralty pier has been built under successive modern governments; and these primary requisites, with fortifications which successive improvements have already rendered worthy of the grand pedigree of the castle, and a steam packet service equally worthy of its past history, justify Englishmen in the feeling that they possess in Kent one modern equivalent at least for the antique system of national defence, sea-guardianship, and passage to France which was provided of old by the Cinque Ports.

(4) *Romney.*

Romney and Hythe shared in many respects a common fate. They had to resign themselves to the choking of their havens at an even earlier date than Sandwich and Dover, and had not, like the last, any reserve of power in a passage or pilot system. Unlike both, they lost their place as centres of a fishing population by the retreat of the sea, for they had no rivers to fall back upon. Lastly, they both continued under ecclesiastical lordship much longer than was useful for them. Romney was later than Hythe in shaking it off; but it had the advantage of its neighbour in being the place of assembly for the Brodhull when it exchanged its quarters at Dymchurch for the more civilized town, and when Shepway, as a place of meeting, had become obsolete. This gave it a sort of dignified position during its decline; and thus it became, as we have seen, the depository of records belonging to the whole Confederacy as well as to itself. The treasure it possesses in the two volumes of the Cinque Port Register, and in the 37 extant 'Relations' of

the Yarmouth Bailiffs, is unique. Its local records begin much earlier than those of Sandwich, and are not less various and complete, as may be seen in the recent volumes published by the Historical Commissioners. All that need be said here about them is that they contain perhaps the best account of town life and administration, taxation, expenditure, and prices of all kinds to be found anywhere, and throw much light on the lordship of the archbishops.

Courtenay especially comes before us in the records. The imperious character of this Primate, and his frequent visits to the fine castle which he had built at Saltwood (the noble gateway of which still remains), filled Romney with alarm. They send him capons and cygnets; they despatch 18 of the 'best men of the town' to beg protection for their liberties, and again 'to know his will, and what he proposed to do against their liberties.' This seems to have been connected with a threat to abolish their market except on feast days. They spend more than 15*l.* on 'divers gifts and expenses in the jurats' making suit to the Reverend Father, the Lord Archbishop, to put his bailiwick into the hands of the community of Romney at ferm;' but they applied to the wrong person. It seems astonishing that this elementary boon had not yet been granted to a Cinque Port of so much importance. Judged by the incessant gifts to later primates the position was as humiliating as it was expensive; nor were these gifts confined to the lord. A remarkable instance occurs in 1484, when the Barons, in their anxiety to obtain a mayor, resolved to turn to their account the necessities of the usurper Richard III., who had been

Lord Warden. Seemingly to this end they propitiated with a handsome present of fish the King's friend and Lieutenant of the Tower, Sir Ralph Assheton, the 'black lad' of Lancashire legends, and then incontinently took the audacious step of appointing a mayor of their own without leave or licence. But they were too hasty. The unexpected ruin of Richard destroyed their hopes, and nullified their presumptuous action.

The archbishops would have been wise if they had leased the Bailiwick to the Romney corporation as they did at Hythe, but to the very last they declined to do so. It is probable that they had in earlier times exercised a much superior influence to that which we observe under the Tudors, but the times had changed, and they had not changed with them. Their lordship was about to disappear. But even after it ceased, Romney did not receive permission to elect a Bailiff of its own, much less a Mayor, and had to be content with the performance of the duty by the senior jurat. Elizabeth at length, in 1563, granted a charter which gave the long-desired privilege. Thus, like Hastings, Romney did not enjoy the full privileges and dignity of a borough till its importance as a Cinque Port had become a thing of the past. Even when Leland visited it in Henry VIII.'s reign he reported that

> it hath bene a netely good haven, yn so much that withyn remembrance of men shyppes have cum hard up to the towne and cast ancres yn one of the churchyardes. The se is now a II [two] myles fro the towne, so sore therby decayed that wher ther wher III great paroches and chirches sumtyme, is now scarce one well maynteined.

The gallant attempts to avert the collapse which had taken place when Leland wrote, are traceable in the records all through the previous century. In 1401 we have the expense 'for making and digging a new harbour,' and in 1406 that for digging the 'common Ree' (the old bed of the channel by the side of the Roman embankment). The expenditure on sluices and sea-walls is incessant; in 1571 a 'Common Expenditor' of the sea-wall is appointed. In short, the means of livelihood of the townsmen were so seriously impaired, the exemptions of the charters of such diminished value, and the expenses of living so heavy, that house after house disappeared, street after street, till the population sank in the last century to 500. They had been struck hard, not only by the Reformation, but by the seizure of the Alien Priories in the French wars; for St. Nicolas's church was, like the old priory, the property of the abbey of Pontigny. Both were granted in 1438 to Archbishop Chichele by Henry VI. for the purpose of founding All Souls' College at Oxford; while the Hospital went towards the foundation of Magdalen College at the same University. Under the Tudors the Cinque Ports acquired a separate building in the town for the purpose of holding their Assemblies, the remains of which form part of the present Hall and Brotherhood House erected in 1728.

For a moment the downward progress was slightly arrested by the charter of Elizabeth, which granted the town the whole area of the old bed of the Rother up to Redhill beyond Appledore. It was of no avail; but in late years there has been a change. As the centre of a large part of Romney Marsh, with an annual cattle-fair

and a county court, Romney has once more exhibited its ancient spirit, and suiting itself to the times, has not only risen to a population of some 1,200, but contemplates fresh victories by enclosing the 'Hoy,' the last marshy tract left, and building a new 'marine suburb.'

One mediæval institution which the modern town can hardly be expected to revive is the Romney Play. It had a great reputation in the locality; the Lydd records frequently mention it; those of the Port introduce us to the cost of the costumes, of the false hair and beards, the stage, the scenery, and the scribe's labour. It was, like the town barge, a municipal undertaking, and a traditional property. Some of the Plays were on sacred subjects, in fact the old Mysteries. We cannot but connect them with the ecclesiastical nurture of the place. Possibly the superiority of the Romney wine of which the Lydd records speak by the familiar name of 'Romney,' was due to the same refined taste. It was no doubt a customary import of the town-barge.

The title of the Romney corporation has gone through many variations. Like the rest it is a borough by prescription. It was incorporated by Edward III. under the style of 'the Barons of the Town and Port of Romney,' which was afterwards changed to 'the Jurats and Commonalty of the Town and Port of Romney.' Then came an innovation. Its style again changed to the 'Jurats and Commonalty of New Romney,' and finally to the 'Mayor, Jurats and Commonalty of New Romney.' As the epithet 'New' has thus been a comparatively modern term, which has crept into late-mediæval documents by mistake, it has been thought

best to drop it in these pages altogether. Some day the practice may be adopted in the official style of the place itself. The cause of the mistake will be explained under the head of 'Old Romney.'

(5) *Hythe.*

Hythe possesses several charters. That of 1313 recites the franchises held by the Port in the times of Kings 'Edward the Confessor, William I. and II., and our grandfather, Henry III.' Like Romney, this Port was associated with the history of Archbishop Thomas. Though the lordship of Saltwood Manor carried with it that of the borough of Hythe, the latter was always a separate district. Both however were seized by Henry II. as part of the forfeiture of Henry de Essex, who had held them under the See of Canterbury. The seizure formed one of the many grounds of the mortal quarrel between the King and the primate; but there was no restoration till the first year of John's reign; after which we hear of no interference with the lordship of the archbishops and their appointment of bailiffs.

In the fifteenth century the corporation begins to acquire some power over the appointment. In 1415 Chichele grants it to them for a term of years, and again in 1441; but on the other hand Archbishop Stafford appoints a certain Henry Fitz-John to it for life. Bouchier however, on the surrender of Fitz-John's interest, grants permission to the corporation to elect a Bailiff for the remainder of that interest. A letter from Cardinal Morton shows that the primates were sometimes obliged to put up with what they disapproved, and apply a remedy only when they could. He writes to

my neygbours the Jurattes and inhabitants hyn the towne of Hythe [to say he has appointed] his servant John Michell, [since] the office of the Baillewyk of Hythe hath be unrighteously occupied a long seasone passed to the displeasure of God and farre from due order and good rule, as ye knowe well. . . . I trust he wolle so behave hymself in the exercising of the same that God shalbe pleased and every manne reasonable contented withe him.

As at Romney, many a 'porpus' finds its way as a present from the corporation to the lord's table at Saltwood. Early in the fifteenth century they give 20*d.* to his servant 'that he might speak to his worship good words for this town.' The town was indeed much in want of good deeds as well as words. In 1409 it had fallen so low that it was reported at an Inquisition to be in a state of 'utter filth and squalor.' It was in much the same condition during the rest of the Lancastrian period. The people had lost all heart, and were only anxious to migrate. The Presentments at Hundred Courts show that 'lanes were stopped up and streams diverted by heaps of filth.' Yet when it was made clear that the Sovereign would not suffer the old Cinque Port to be extinguished, and preferred to aid it by remitting its ship-service, the people set to work with true English spirit, and made desperate efforts to avert final ruin. A 'Hollandyr' is employed as surveyor of the 'new harbour,' the site of which is not known; and projects of this sort occupied the townsmen for something like three centuries. It was all in vain. The great shingle bank refused to be controlled: perhaps the earthquake of 1580 did not mend matters. At any rate the haven which, even in Leland's time,

admitted 'small 'shyppes for a large myle towards Folkestan as in a sure gut,' became in 1634 'absolutely stopped and starved up.' A last, but equally unsuccessful, attempt was made in 1674, when an opening was formed 'at or neere a place called Shorncliff.'

The people of Hythe could hardly be expected to know that their eager efforts were only delaying the future which might be in store for them. It was not till the long-useless haven had been entirely shut out from the sea that a solid surface could be gradually formed over it along the back of the beach and used for pasture; not till then could the great encroaching bank which had been their destruction be turned into the friendly seaside parade which should once more attract a population. Of late years this has been well understood. The Hythe Musketry School, established in 1853 on this very beach, brought its advantages before the public, and improvement has been going on ever since. A clean, well-ordered town in easy communication with this beach, with a population of nearly 5,000, and in the neighbourhood of Folkestone, Sandgate, and Shorncliffe, affords a promise for the future which few places possess.

Henry VIII.'s dealings with Church property affected the municipal government of Hythe in a peculiar way. The system of an annual payment to the archbishop in return for a lease of the bailiwick which gave the power of election to the inhabitants, had been found to contrast favourably with the lord's former direct appointments. Under the pressure of the times Cranmer had made the best bargain he could for the archbishops and the town by granting a lease for 99 years;

but in 1541 he found himself constrained to surrender to Henry VIII. the whole property of the See in Saltwood and Hythe. The people thus escaped the annual payment, but they liked the constant changes of royal bailiffs still less. It was not however till 1575 that the jurats and commonalty obtained from Elizabeth a charter by which the Mayor was to be elected from among the twelve jurats by the commoners. These latter, to the number of 24, now formed part of the 'council.' Their free and independent spirit nearly brought them into trouble in the eighth year of the reign of Charles I. Certain writs of the Exchequer were invariably sealed with green wax. One of these, conveying an illegal demand, was directed to the corporation, which not only declined to receive it, but added the offensive joke that 'it was no time of the year for green plums.' The Government, on its road to destruction, thought it best to be content with loudly threatening to cancel the venerable charter of the Port.

(6) *Rye.*

On one or two cardinal points the notices of Rye given by Mr. Jeake and Mr. Holloway have to be studied in the light of the documents brought before the public by the Historical Commission, and of Edward I.'s Yarmouth Dite issued in 1297. These are the dates of the incorporation of the town under a Mayor, and of the building of its walls. The former took place at least as early as the above date; the walls have been mentioned. Thus Rye takes rank with Winchelsea in the antiquity of its grant of a Mayor, being only preceded by Dover and Sandwich. Romney,

Hythe, and Hastings date their grants from Elizabeth's reign. It will be seen that this is only a question of historical precedence of Mayors; it has nothing to do with the precedence of the towns as boroughs by prescription; still less as Cinque Ports; least of all as to their mediæval precedence at Assemblies and Coronations.

Many extracts of an interesting character might be made from the records, but we can only find space for the remark that the common life, which was the very breath of these ancient towns, eminently displayed itself at Rye in the joint share of the Portsmen in trade of all sorts. Though not called a guild, this association for trade was so in fact. The corporation seems to exist for this object as much as for the sake of order and the ship-service of the Crown. It comes before us in the fifteenth century as if from time immemorial, and probably originated in the fishing-trade with Yarmouth and the East coast. Of the town ship we frequently hear, and it seems that there was also a town venture in fleets of ships engaged in the Gascon wine trade. This ceased at the end of the century, and by the time of Edward VI. even the timber and billet trade, which had been of prime importance in connexion with Andred Forest, had fallen into the hands of foreigners.

In 1572 Rye followed the example of Sandwich in welcoming Protestant refugees from the Continent; but while those were Walloons or Dutch, flying from the terrible Alva, these were chiefly Frenchmen driven to England by the Massacre of St. Bartholomew's Day. By the year 1582 their numbers amounted to 1,534, and their descendants became, as at Sandwich,

a very important element in the population. At the same time their blood and language established a more or less continuous relation with the coasts from which they had fled, and in the eighteenth century, the age of systematic smuggling, they naturally came to take no small share in various illicit processes. It was to countenance these refugees that Queen Elizabeth visited Rye in 1573. She stayed three days, and is said on this occasion to have encouraged the people in her usual winning way, styling their town 'Rye Royal.' It may have arisen out of some special royal patronage, or may only have been the reward of superior enterprise, but the 'Rye Rippiers' (so called from their fish-baskets) appear to have been the fishmongers who for a considerable time chiefly supplied the royal table and the court; but in 1630 the Port could turn out no more than ten fishing-boats. This rather sudden downfall was due to the breaking up of the Yarmouth fishery, and to the charters granted to various companies.

The best account of the Rye marshes and their drainage will be found in the Report of the Tidal Harbour Commissioners of 1845, which sufficiently explains the symptoms of decline traceable to special action in quite modern times; but Rye is far from dead, though grass may be seen in some of its streets. A population of 8,000 still clings to the precincts of the ancient church and the battered Ypres Tower. And certainly their attachment to the place may still be not unfitly represented by the words with which their Custumal ends:—'God save Englonde and the Towne of Rye.' Though ranking in importance far below Dover, it has

never fallen so low as Hastings, Sandwich, Romney, Hythe, or Winchelsea.

(7) *Winchelsea.*

We left Winchelsea smitten with mortal diseases; but even in the year of the Battle of Agincourt the town received from Parliament a new 'murage-grant;' and the walls raised by its means, far inside their old limits on the land side, may still be traced among the fields. It was still a convenient place for embarkation, especially for pilgrims to the shrine of St. James of Compostella, up to the end of Henry VI.'s reign, and still performed its ship-service as late as 1475. But long before this latter date even small vessels were quite unable to approach the town, and the few merchants who had lingered on began to depart. There was no one left in 1498 who had more than 40*l.* worth of goods.

Henry VIII. made up his mind from personal inspection that the place was no longer of any use for his continental wars, and as a substitute, built Camber Castle at the head of the small estuary or camber, to which the old harbour had shrunk. He was deceived in his turn as completely as his great predecessors; for the Camber soon took, though gradually, the way of the former harbour, and in the course of a century left his castle high and dry two miles from the sea. There it still stands, a ruinous monument of a third failure on this fated spot. His dissolution of the monasteries gave a final blow to Winchelsea by destroying the two Religious Houses which formed its last internal support.

Again we find, in the records edited by Mr. W. D. Cooper, the same indomitable spirit which animated all the Ports in their decline. Even in 1513, 1541, and 1562 the inhabitants contrived to make their contribution of service to the Crown in money rather than forfeit their privileges; but what is more extraordinary, they appear to have made some sort of brave show before Queen Elizabeth, when she made her visit in 1573. Three years previously they had petitioned her for aid to make a fresh haven; it was only needful, they said, to cut through a short distance of 'good, firm' marsh ground in order to reach the old channel into which the tide still made its way. The Queen's Councillors advised nothing of the sort; but when she came she knew at least how to give good words.

Her Majesty beholding the good situation, ancient buildings, and grave Bench of a Mayor and twelve Jurats in their scarlet gowns, and city-like deportment of the people, there being then several gentry—as well as the projection of the place, she gave it, as she thought deservedly, the name of 'Little London.'

We do not know what authority Jeake had for this story, sufficiently absurd if we suppose the Queen to have spoken seriously; but we may be sure that so clever a person as Elizabeth was only making a jocular contrast between the 'grave Bench in their scarlet gowns,' and the beggarly account of empty houses which met her view. Two years later Lambarde declares 'there were not then above 60 houses standing, and those for the most part poorly peopled.' But she did not forget this very 'little London,' for in 1586,

anxious to encourage the ancient spirit in the face of impending invasion from Spain, she gave the corporation, just as she did at Hastings, possession of various monastic and other properties which had fallen to the Crown. In 1601, however, Raleigh speaks of the place as 'gone to decay.' Of the leading families, who passed away from the place a little before this time, the Herberts, merging by marriage in the Finches, produced the two historical Earls of Nottingham, of the seventeenth and eighteenth centuries. The last of them added to his title the name of Winchelsea, still perpetuated in his descendants, the Finch-Hattons. The Alards had come to be represented by the Oxenbridges.

Of course Winchelsea became the chosen home of smugglers. The vaults used for the Gascon wine trade and other merchandise seemed to the impoverished inhabitants constructed for the very purpose of storing contraband goods; and ancient people yet alive tell many a tale of scenes they have witnessed. It should be mentioned that the name of this celebrated town seems to have been originally spelt 'Winchelse,' 'Winchenesel,' or 'Winchilsey.' Its later form has been adopted in these pages. The corporation no longer exists except for the purpose of managing the property of the town.

Speaking generally, the Cinque Ports and their Members are still independent of the counties in the matter of roads, licences, and police, and free from county juries and county rates. At the last Census the population of the towns and districts comprised under the Cinque Port Liberties amounted to 174,279.

CHAPTER IX.

THE MEMBERS OF THE CINQUE PORTS.

SECTION I.—THE CORPORATE MEMBERS.

CORPORATE MEMBERS OF HASTINGS.

(1) *Seaford.*

THE career of Seaford has closely followed that of Hastings its Head Port, towards which however its relations in early times were exceptionally independent. Its harbour, formed by the Ouse, attracted the attention of the Romans, and the remains of their ample occupation of the place are abundant. It became considerable before the Conquest, and a Member of Hastings, as well as a Borough by prescription at a very early, but unknown date. It stands first of those Members in the 'Domesday of the Cinque Ports,' and sent its two representatives to Parliament as early as 1300. Yet though it was an undoubted Member of Hastings, the species of prescriptive incorporation it received did not convey to its burgesses the title of 'baron,' which at Faversham and elsewhere was officially used. The seal of Seaford, which is very ancient, is inscribed '*Sigillum burgensium de Saffordia.*' That which was assumed at its royal incorporation in 1544 bears a ship with three masts, a device wholly unknown in the early seals. The town

was taxed independently of the Cinque Ports in the reigns of the Edwards, and had separate orders of its own to furnish the King, with one ship in 1302, with two in 1336, and with five in 1347. It is not singular in this last respect, but the position is as a whole anomalous, and may perhaps be accounted for by the lordship over it of the great family of De Warenne, succeeded in 1347 by that of Poynings. A member of the latter family is supposed to have even attempted to remove the town to a better situation, but to have been prevented by a fire.

In the reign of Edward III. the process of decline was rapid. Seaford now ceased to send members to Parliament, and, like Hastings, its agonies were prolonged through several reigns, both by the gradual silting up of its haven and the attacks of the French. The town was burnt over and over again in the reigns of Edward III., Richard II., and Henry IV., and it was natural that the people, enraged at the misgovernment of Henry VI., should join the rising of their neighbours under Jack Cade. And now their river wholly deserted them. The Ouse, gradually blocked out from access to the sea by the constant movement of shingle from the west, made its issue at last near the village of Meeching, and in the sixteenth century formed a harbour which assumed the name of 'Newhaven,' now the port of departure for Dieppe.

In spite, however, of these decisive symptoms Henry VIII., zealous for the restoration of the Cinque Port system, and acting on the principle that two cripples might help each other to move, however slowly, incorporated Seaford in 1544 under a Bailiff and com-

monalty, and annexed it by charter to its ancient and still faster waning Head-Port. It was not by this aid however, but by that of a gallant neighbour, Sir Nicholas Pelham, that it beat off the French who attacked it in 1545. His exploit is thus commemorated on his tomb in St. Michael's, Lewes :—

> What time the French sought to have sack't Seafoord
> This Pelham did repel 'em back aboord.

The new charter put an end to the irregularity of contribution to the Cinque Port Service which had always characterised the mutual relations of the two ports; but fresh disputes followed upon its issue. At last in 1604 a compromise was effected which eased Seaford of several burdens. In 1640 Parliament, for its own purposes, thought fit to restore the old privilege of sending representatives, amongst whose names are found those of the elder Pitt and Canning, the place becoming a Treasury Borough. Happily this ancient town has followed its ill-assorted partner in the discovery that a clean, shingly sea-side is better suited to the times than a used-up, muddy 'sea-fiord,' and has been rewarded by the modern repeopling of its deserted site. Its corporation, like those of Pevensey and Fordwich, has been abolished, as also its privilege of sending members to Parliament.

(2) *Pevensey.*

Pevensey is no doubt the ancient Anderida, with the name changed very early, like that of Rutupiæ. It once had a convenient haven, which has left no trace upon the line of beach, and was a consider-

able place, almost the rival of Hastings. The Norman keep, still standing in ruins within the precincts of the Castrum, tells the tale of the Conquest, and of the siege which Odo of Bayeux sustained at the hands of his nephew. A poor little adjoining hamlet alone survives as the abode of living men. It might perhaps be said that no place in England covers a wider or more instructive sweep of history at one glance than Pevensey. Its seal is the oldest possessed by any of the Ports, being of the early part of the thirteenth century, when the town was incorporated under a Bailiff, jurats, and commonalty. Its decline was gradual, but was complete in the fifteenth century. Unlike Seaford, its relations with Hastings were simple enough: and we find it loyally assisting its Head-Port with a single ship, or a quarter-mark towards the common Purse, till its decay was irreparable. The name of the town is sometimes separated from, and sometimes joined with, the 'Leucata (or Lowe, or Lowey [league]) of Pevensey,' an adjoining district comprehending the demesne of the castle. No revival has come to the rescue of this long-fallen, but once famous, Limb of Hastings.

CORPORATE MEMBERS OF SANDWICH.

(1) *Fordwich.*

This interesting little place contrasts strongly with the above-mentioned Members of Hastings as to its charters and records, many of which have been carefully preserved; and though recent legislation has treated its corporate position with perhaps necessary severity, visible emblems of its former character still

exist by the side of the Stour, such as its old, diminutive Town Hall, the 'Drowning Wharf' where felons were executed, and the cucking-stool. An arm of the sea, or 'fiord' (whence the name), once found its way up to the town, making Fordwich the port of Canterbury, which was only three miles distant. Of the common quay the Barons of Fordwich had the profitable monopoly, but the abbots of St. Augustine's being the lords of the manor, claimed certain dues on all imports, a fertile subject of dispute.

The charters begin with one of Edward the Confessor, conveying King's land at Fordwich to St. Augustine's, in which the King

'greeting friendly Stigand Archbishop and Harold Earl, and Oswald, and all my thanes of Kent,' announces that 'he will have full doom on any man that his gift outs.'

This is followed by one from Odo of Bayeux, confirmed by the Conqueror, conveying his houses and customs at Fordwich to St. Augustine's. As in Cnut's grant to Sandwich, the franchise extended to Stourmouth on both sides of the Stour, 'as far as a man being in a boat at High Water could draw [throw] a taper-axe upon the land.' An antique form of duel forms part of the Fordwich Custumal. In cases of felony

the prosecutor fully equipped as a prosecutor should be, shall stand up to his navel in the Stour, prepared to prove his appeal. Then the accused shall come in a boat . . . clothed in a garment called a 'Storrie,' with an instrument called an 'ore,' three yards long, and the boat shall be made fast to the quay by a cord, and he shall fight with the said prosecutor till the duel is decided.

A charter of Henry II. grants 'the good men of Fordwich' many valuable franchises, and amongst them a guild-merchant; and in another, by one of the Edwards (it is not certain by which), they are addressed as 'The Mayor and Barons.' The title of the corporation was however 'The Mayor, jurats, and commonalty of the town of Fordwich.' The normal contribution of Fordwich to the Sandwich contingent seems to have been only a fraction of one ship: the disputes between them were continuous.

We may safely measure the periods of prosperity and decay of the port by the condition of the Wantsum and the Stour. As the estuary silted up, and the broad river shrank to a narrow one, so flowed away the sea from the Fiord-wich: and as there remained, practically, no outlet to the sea, the profits from the Canterbury imports ceased. Thus Fordwich sank to the petty town of which we now see the feeble remnant. Materials exist for a good monograph on the place.

(2) *Deal.*

Deal was built on the land of the See of Canterbury, and probably had once a haven, which was choked up in extremely early times like those of its neighbours. In the Middle Ages it was a very small place, supplying, along with Walmer, a quarter-mark to the common Purse, and in Henry VIII.'s time a single ship. The old town was already separated from the sea by a considerable interval when Henry built the three castles of Deal, Sandown, and Walmer for the protection of the coast, which had now become a continuous stretch of steep shingly beach. It was not

only the facilities afforded for landing which suggested these forts, but the Downs had become a common anchorage for vessels making their way up and down Channel, and had now to be recognized as a vast harbour, open to the South, but protected from the prevalent south-west winds by the land, and from the North and East by the Goodwin Sands. These sands had grown, by the steady operation of the causes mentioned in Chapter II., to a length of eight miles, running parallel to the coast, and affording a complete breakwater to the deep channel which the now confined tide scooped and scoured out with each ebb and flow. The current which formed the anchorage, and destroyed Sandwich, was the very making of Deal, which lay exactly opposite the great sand-bank, and towards which in consequence of the swiftness of the tides and steepness of the beach the sand was not attracted. Hence the demand for what Deal has supplied. A race of seamen sprang up who found employment not so much in fishing as in piloting the ships which frequented the Downs, and in the succour of those which ran ashore on the Goodwins.

In the course of ages, with the new seafaring population a new Deal gradually came into being along the beach, and a Navy Yard was added in Stuart times. The race of Deal boatmen became quite a peculiar institution. They cannot indeed be defended from the charge of certain malpractices with relation to wrecks; but these were exceptional; and on the other hand their skill, intrepidity, generosity, and contempt of danger have been the glory of sailor life. The dimensions of their pilot-system were in the last century quite

on a level with those of Dover, and indeed at times superior, while Sandwich gradually dropped out of the position of a pilot-port. The allegiance of Deal to both places was thus seriously strained; but the dominion of their Head-Port in its decline was a more pressing grievance even than the Court of Lodemanage worked by Dover men. A state of constant friction was happily brought to an end by the incorporation of Deal in 1699. The Dutch wars of the seventeenth century, of which the Downs was the centre, had given a great impulse to the town in many ways. Charles II. patronised the place. Naval officers and crews became as familiar figures at Deal as once at Sandwich or Dover. It was high time that, in spite of the natural opposition of Sandwich, a 'Mayor, jurats, and commonalty' should exercise an independent jurisdiction, which proved beneficial.

The French wars produced a still higher prosperity. Fleets were constantly in the Downs. The Navy Yard (only abolished in 1863) teemed once more with nautical life, and the descendants of many a Cinque Port seaman of the ancient times performed their part in the conflict which left Great Britain undisputed mistress of the seas. Without lingering over details about smuggling, which of course was once rife at Deal, it is enough to say that the development of steam has almost broken up Deal pilotage as well as diminished the number of wrecks, and that the removal of the Navy Yard has snapped the ties of the place with the Royal Navy; but the recent loss of the parliamentary franchise, which it had shared with Sandwich, has not been without compensating advantages. The changes thus effected must not be classed with the symptoms of decay in other

Ports. Deal is still a considerable town, and its seamen still find openings for their manly enterprise. The Goodwin Sands are always in a state of flux, and few know their secrets but the Deal men.

CORPORATE MEMBERS OF DOVER.

(1) *Folkestone.*

Folkestone owes its early importance, if not its first settlement, to one of the numerous monastic institutions scattered along the coast, the nunnery founded there by Eanswith, the granddaughter of the first Christian King of Kent, the Bretwalda Ethelberht. Vines seem to have been cultivated here; and a haven of some pretensions attracted a fishing population. It thus naturally became a borough by prescription, affiliated as a Member to its neighbour, Dover, long before it was incorporated under a Mayor and jurats in 1311. The grant of the nunnery to the monks of Christ Church brought the place early under their influences, but we hear much more of the dominion of the immediate lords, Clinton and Say, than we do of the monks. The contribution of the place to the Dover contingent was usually one ship, as in 1299, when it supplied a large vessel classed as a cog; and even as late as the fifteenth century its stated payment to the Cinque Port Purse exceeded that of any other Member except Faversham. Its harbour must in the twelfth and thirteenth centuries have been still a good one, or King John would not have made his headquarters there in 1216, when he was attempting to collect a force to cope with Lewis of France and Eustace the Monk at Stonor; but, like all the rest,

it soon filled up with the growth of the great shingle beds along the coast. In the early part of Elizabeth's reign her Commissioners report that Folkestone had 120 houses and the same number of men, of whom 70 were fishermen; and that its 25 ships and boats were all engaged in fishing. In 1575 it had 50 men in the 'General,' and 50 in the 'Special, Band:' but the process of decline then became rapid.

A remarkable revival has, at the bidding of fashion, taken place in the last half-century. Hence the five old churches, of which but one now stands (preserving an interesting portion of its Early English features), have been more than replaced by new structures, and the population is rapidly increasing. The modern tidal harbour once more shelters small vessels and fishing-boats; and the passage service to Boulogne is facilitated by an excellent pier.

(2) *Faversham.*

Like many Kentish towns, Faversham boasts of having been occupied by the Romans during nearly the whole of their continuance in Britain; but its name and origin are Teutonic. Its good situation, nine miles from Canterbury, at the head of a navigable arm of the Swale, insured its early prosperity as a fishing-port, and it was especially famous for its oysters, at a time when the sea covered much of what is now land; but unlike most of its neighbours, physical changes have not deprived it of many commercial advantages; and new industries, such as the manufacture of gunpowder, have succeeded to those which have decayed.

The distinguishing feature of the town history has

been its relation to the well-known Benedictine (at first Cluniac) abbey, founded by King Stephen in 1147, for an abbot and twelve monks, with a view to the burial of his wife and himself within its precincts. The abbots, by Stephen's gift, became lords of the manor; but the church and tithes had already been granted by the Conqueror to St. Augustine's, Canterbury; while by some irregular sort of early incorporation, perhaps by the Court of Shepway, but acknowledged both by the Cinque Ports and in royal mandates and charters, the town had a Mayor and 12 jurats, the freemen being addressed as 'barons.' Thus there was always going on a sort of triangular duel, which would have been perhaps worse still for the place had not the two abbeys quarrelled desperately with one another. However, the abbot of Faversham, strong in royal patronage, was not to be got rid of, and succeeded in establishing something very like a lordship over the community. At any rate his bailiff sat jointly with the Mayor, who on his election was always brought before the abbot for approval. All three powers, during a long struggle, suffered in turn. The Barons had to pay a fine of 500 marks to Edward I. for an assault on the Canterbury ecclesiastics; the abbot of Faversham found his way to the prison of Dover Castle in 1301 for trespassing on the Cinque Port jurisdiction; and the primate who supported him, only escaped punishment by the intervention of his suffragans. The suppression of the abbey under Henry VIII. put an end to this mixed jurisdiction, and was soon followed by a new incorporation. The Mayor and jurats were now associated with 42 freemen in the Governing Body, half of whom were to

be elected by the Mayor and jurats, the other half by the commoners.

The royal foundation of the abbey made it a natural place for the temporary residence of successive Sovereigns on their way to and from France; and this will account for the extraordinary number of valuable charters granted to the Faversham Barons, who, however, only contributed one ship towards the Dover Service. Besides the general Cinque Port charters, which have been carefully preserved, no less than 17 special ones exist. One of the former is the oldest now to be found at any Port, being granted by Henry III., in 1260, for the purpose of excusing the Cinque Ports from the summons of Itinerant Justices. We have a notice of the town in 1565, when it contained '380 houses, 18 shyppes and vessels,' and 50 persons 'occupied yn marchard and fyshing.' Visits from Elizabeth in 1572 and 1581 stirred up the Faversham loyalty much as elsewhere. Corslets and pikes were sold, to be replaced by powder and shot; a ship of 50 tons, costing 400*l.*, was fitted out in 1586, and one of 40, called the Hazard, in 1588. For the keep of soldiers going to Portugal 300*l.* were paid in 1592; and in 1596 Faversham finds 40 tons of shipping out of the 160 which was the share of Dover, —a large outlay, taken all together, for so small a place.

The name of Henry Pay, the Cinque Port hero already mentioned, alone stands out from the rest of the people. The circumstances of James II.'s capture at a port where, as an old Warden of the Cinque Ports, he was easily recognised, are too well known to require comment; but we cannot take leave of this interesting place without celebrating one of the very oldest institu-

tions in England, the Faversham 'Company of Free Dredgers,' who paid rent for their oyster-grounds to Henry II., and still exist; or without mentioning the curious mediæval succession of female anchorites, who inhabited a hut in the parish churchyard. Did the delicate little skates peculiar to the place obtain the name of 'Faversham maids' from the legends which surrounded these mysterious persons?

CORPORATE MEMBER OF ROMNEY.

Lydd.

We have seen in Chapter II. that Lydd, now two or three miles inland, was originally a long narrow island, very slightly rising above the sea, which from its shingly shore was called by the Romans who drained Romney Marsh, '*Littus*' [whence, it is said, 'Lydd']. The Latin name 'Rype' [*Ripæ*] still attaches to the land about the neighbouring banks which once kept out the sea, but are now scarcely distinguishable ridges. As the marshes which surrounded Lydd were bit by bit 'inned,' the town gradually acquired a very extensive parish. This was ecclesiastically served by the monks of Christ Church, for whom was built a church which was superseded in the thirteenth century by the present handsome and spacious structure. The relations of Lydd to the surrounding land take us back into extreme antiquity, and are very complicated. In the charters the place is always closely associated with Ingemarsh, but the similarity of name must not lead us to confuse that tract of land with the separate borough of Dengemarsh, of which the moving Dengeness, or Dungeness, is the extreme point. The 'Collecta' or 'Cullet' of

Lydd, which seems to have been co-extensive with the 'Den of Lydd,' or 'Bishopric,' was in very early times divided into two 'Yatts' or 'Inges,' one of which only (on the Western side of the river Rother) retained the name and became 'Ingemarsh.' This, with Lydd itself, the other Inge, performed certain services of cattle for their lord the archbishop, called the 'service of average,' which was commuted, as time went on, for money. Eventually the name 'Ingemarsh' passed away, the district being divided into three parts, Westbroke, Orwaldstone, and Midley. Lydd itself had rights of common over the Rype, Holmstone, and Beach, localities still fairly traceable.

Dengemarsh lies to the South-east of Lydd, was 'inned' in the eighth century, and at the Conquest became a borough under the lordship of the abbot of Battle. So also did Orwaldstone, which lay to the North-west of Lydd: but neither of them had a sufficiently substantial position to retain their places as working Members of a Head-Port, and only did so in name. In other words, though all three continued to be reckoned as Members of Romney, Lydd really represented them; and the 'Liberties of Lydd' included the area occupied by all three together. Thus Lydd came in the later Middle Ages to be practically on an equality with Romney, and many difficulties arose out of the fact, especially as it only contributed one-fifth of the Romney ship-service, and paid only the fifth penny of the wages of the Romney Members of Parliament. This was severely felt during the decline of the Head-Port.

The lordship of Lydd was held by the archbishops of Canterbury from the very first, and was confirmed to

them by the Conqueror. It thus long preceded the membership of the Town and Port with Romney; and the connexion between the two places was formed, under the auspices of the lord, at least as early as Henry II.'s reign. The incorporation under a Bailiff and jurats may have been due either to the archbishops, or, as supposed in the case of Faversham, to the Court of Shepway; but it was not incorporated by the Crown under Bailiff, jurats and commonalty till the reign of Henry VI.

Lydd, like Hythe and Faversham, has a good collection of original charters. That of July 12, 1364, finely illuminated and gilt, with a contemporary picture of Lydd seal in a corner—a church surmounted by a spire in a half-ship—is a valuable document. It recites in full Edward I.'s general charter to the Barons of Lydd and Ingemareys, in which they appear as a part of the Cinque Port Confederation. It then, after reciting that of Edward II., takes up the charter of Henry III., requiring that the archbishop's men of 'Lhida et Dingemers' should furnish a fifth part of the ship-service of Romney, and confirming them in their customs and claims as fully as they enjoyed them in the time of Henry II., and as the men of 'Hastyng' enjoyed them, and as they ought to enjoy them *ex consuetudine Quinque Portuum*. Another Lydd charter which requires notice is a contemporary copy of one of 4 Edward IV., in which the franchises of the Cinque Ports granted in the times of the Confessor and the Conqueror are recited and confirmed.

The records of Lydd, quoted by the Historical Commission, give, like those of Romney, an excellent idea of the life of a mediæval town. We hear of a

'Common House' and a 'Court House, of the ship maintained for the Crown-service, lying at the Camber, of a steeple on the church tower (which was probably taken down when Cardinal Wolsey, as vicar, raised the tower to the present height), and of a wooden belfry in the churchyard like that still existing in the neighbourhood, at Brookland. There are records of frequent visits from the King's, and the Lord Warden's, minstrels, and from the Romney players, the costs of which, as well as of the annual visits of the boy-bishop or 'bishop of St. Nicolas' from Romney, are paid out of the common fund.

The place sank in modern times to a humble village, quite out of keeping with its great church and imposing magistracy; yet, like Hythe, it has been revived by the selection of its extensive wastes for Government purposes. The practising-ground for artillery and the annual summer encampment of troops are already changing the face of the ancient Lydd and filling on Sundays the empty spaces of its church.

CORPORATE MEMBER OF RYE.

Tenterden.

We have seen that this ancient town was chartered in 1449 for the express purpose of enabling Rye, in its sore distress, to bear its burdens as a Cinque Port. The 'Bailiff and commonalty' of the new Member were in return to share all the privileges of the 'Mayor and Barons' of the Head-Port. But the troubles of the year 1449 having apparently hindered the actual issue of the charter, Edward IV., in the third year of his reign, showed his anxiety to preserve the goodwill of the Ports to his dynasty by bringing it into operation.

A century later the town was reported to be able to provide a good average of trained men, and did actually contribute 24 men and 4 horses to the muster of Elizabeth's troops: That Queen granted a new charter, changing the Bailiff into a Mayor, and expressly allowing the corporation to be styled 'Barons of the Cinque Ports.' The steeple was added to the church in 1462, and it may be remarked, was not in the vulgar adage connected with the Goodwin Sands, but with Sandwich haven. It ran thus:

> Of many people it hath been sayed
> That Tenterden steeple Sandwich haven hath decayed.

The old Port was making way for the new comer, with its new steeple.

SECTION II.—THE NON-CORPORATE MEMBERS.

These are arranged as follows in the order of precedency of their Head-Ports. Hastings was the Head-Port of Bulvarhythe, Hydney, Petit Iham, Bekesbourn, Grenche, and Northeye: Sandwich, of Reculver, Sarre, Stonor, Ramsgate, Walmer, and Brightlingsea: Dover, of Margate, St. John's, Goresend, Birchington Wood (or Woodchurch), St. Peter's, Kingsdown, and Ringwould: Romney of Old Romney, Bromehill (or Promehill), Dengemarsh, and Orwaldstone: Hythe of West Hythe. Each of these non-Corporate Members was governed, and for the most part is so still, by a 'Deputy,' whose position is something like that of a Deputy Mayor or chief magistrate. He alone could summon the inhabitants for any particular purpose; but it does not

seem that he had the power of taking any independent action whatever, and causes were always tried at the Head-Port. The rural districts comprised under the headship of each Port are classed for many purposes under the name of 'The Liberties.' There are special provisions of the Act of 56 George III. which apply to Brightlingsea, Bekesbourn, and Grange, where the County Justices and Coroners are to act as if these were portions of their respective Counties, saving however certain rights to the Head-Ports. The inhabitants of the non-Corporate Members appear to have had no right to the title of 'baron,' the essence of which lay in the Freedom possessed by a member of the corporation of a town; but are said to have been sometimes addressed as such by courtesy. The absence of a corporation involved the absence of records; and as these towns had no seat at the Guestling the records of the Head-Ports seldom notice them.

THE NON-CORPORATE MEMBERS UNDER HASTINGS.

(1) *Bulvarhythe.*

This ancient Port, closed up about the same time as Hastings, and from the same cause, is now only discoverable by the researches of the antiquary. It seems in the thirteenth century to have been joined with Petit Iham in the contribution of one ship to those required from Hastings; and in the fifteenth we hear of a chaplain of the parish of 'Bulferith,' whose ruined chapel still marks the site of the town which has long ago disappeared.

(2) *Hydney.*

Scarcely a tradition of the site of this place remains. Its haven, long choked and levelled, seems to have been at Eastbourne. In the parish of Willingdon five pieces of land, containing about 100 acres, still bear the name, and on 'Court Hydney' have been recently discovered some obscure traces of the ancient town.

(3) *Petit Iham, Yham, or Higham.*

This diminutive Member of Hastings occupied the North-west portion of the table-land on which the second Winchelsea was built, and thus had access to the sea which then flowed round the hill. It was always distinct from Iham itself, which was the name of the town in the parish of Icklesham, superseded by Winchelsea. The larger Iham was never a Member of the Cinque Ports; but Petit Iham was in the parish and liberty of St. Leonard's, a widely scattered part of the abbot of Fécamp's manor of Rameslie, or Brede, and thus, being naturally attached to the town in the Bourne Valley, a suburb of the Head-Port, was never connected either with Icklesham or Winchelsea. Petit Iham and its church of St. Leonard's, having been resumed to the Crown, along with other estates of the Alien Priories, were finally passed over to Syon monastery on the Thames. As the little town decayed with the rest in the fourteenth and fifteenth centuries, so the church, no longer supported from Syon after the Reformation, and cut off by a considerable space from Hastings, gradually fell to ruin, and, though visible in the last

century, has disappeared. The miller's house and his windmill alone point out the locality of Petit Iham, but the land still pays borough-rate to Hastings.

(4) *Bekesbourn.*

How this inland Kentish village, which Sandwich or Dover might more naturally claim, came to be a Member of Hastings in Sussex has never been explained. Its 'bourne' communicated with the Stour, and some of its land was held by the tenure of supplying the Norman and Angevin Kings with a '*snecca*' (our 'smack') or yacht, drawing but little water, and therefore suitable for the little stream. In the thirteenth century it seems to have provided one ship towards the Hastings contingent, and took rank with Petit Iham in its diminutive share of the 'Purse.'

(5) *Grenche, or The Grange.*

This place (close to Gillingham) may be classed with the last, but as it stands on the Medway, may have retained the nautical peculiarities which linked it with the Cinque Ports somewhat longer. The ancient 'Common wharf' has not disappeared; and what are supposed to be the remains of the prison of the Liberty are still visible. Sir John Philpot, the hero-merchant of Richard II.'s reign, built the little chapel of the place, part of which still exists in ruins. Grenche does not however appear at all amongst the contributors to the 'Purse,' nor did it ever supply shipping to the Hastings contingent, but only two men, who were to bring with them two 'avirons,' probably oars.

(6) *Northeye.*

This lost town may be classed with Hydney. Like that place, it was an island, or rather a shoal, when the marshes were sea; and like it, when the marshes became firm land, and received a settled community, had a very early existence as a Member of Hastings, as also an early decay. Like Reculver it dropped out altogether from modern lists and charters. It is said to have taken its name from its insular situation north-east of Pevensey, whence it was distant nearly three miles. Part of a chapel (on Barnholm Hill) was recently standing, and may have been one of the two Bexhill churches mentioned in Domesday Book.

NON-CORPORATE MEMBERS UNDER SANDWICH.

(1) *Reculver.*

Though mentioned first in the usual lists this was not one of the earliest Members of Sandwich, nor did the connexion, when formed, last long. Thus it takes no place in the history of its Head-Port, and the later charters, when they begin to notice the different Members, do not even name it. Situated at the foot of the ancient Regulbium, it might have battled like Sandwich with the adverse circumstances produced by the shrinking of the Wantsum, but it speedily fell before an enemy which was also assaulting it in front. The soft yielding character of the cliffs washed by that part of the Thames was always causing them to crumble away before the stormy seas which beat upon the shore; and no part of the town seems to have survived. The twin-towers of the late-mediæval church are notable for the

interesting legend of their erection or restoration by an Abbess of Faversham, in memory of her twin-sister, drowned off Reculver while on a pilgrimage. They still do useful service as a landmark. The walls of the old Roman castle, once well inland, proclaim the war of elements under which the old town collapsed.

(2) *Sarre (or Serre).*

The decay of Sarre was far more gradual than that of Reculver. Its favourable situation between that place and Sandwich, with a snug haven under the chalk cliffs, central for the Yenlade, the Nethergone, and the Stour, made it a prosperous town as far back as the early Teutonic settlements. The cemetery on the Dun of Sarre is one of the richest in Old English remains of any in the whole country, and the recourse of ships to the haven is mentioned in a charter of 726. Like Sandwich, it suffered, and then gained, by the advent of the Danes. Like Sandwich and Stonor, it was under the patronage of ecclesiastics, in this case the monks of Minster. The ferry at Sarre, three furlongs wide in the time of Bede, was worked by the lay brethren, and was the usual means of access to the Isle of Thanet, 'the common ferry when Thanet was full iled,' says Leland. But even earlier than the bay of Sandwich the haven became dry land; the ferry fell into disuse, and the population became scattered. In 1485 we find from the Rolls of Parliament that a bridge was permitted to take the place of the ferry which was so 'swaved, growen, and hyged with wose, mudde, and sand that nowe no Fery or other passage may be there.' In consequence of these gradual changes Sarre had

already been so much reduced in the fourteenth century as to be excused payment of the subsidy. With the loss of the Minster patronage at the Reformation, the church fell to ruin and has disappeared, while the people of the place, merged in the parish of St. Nicolas, lost all their nautical industries. Thanet was no longer in any sense an island, and its sea-coast towns were growing into importance.

Below the cliffs, where once the harbour lay, may still be identified, overgrown by a luxuriant vegetation, the shoals and sand-banks which the retiring sea has left, and which down to the present day retain all their characteristic forms. Yet even now Sandwich appoints a Deputy to the little hamlet, a resident officer who takes a solemn oath that he will 'faith bear to the Queen and to the state and liberties of the Five Ports and especially of the Town and Port of Sandwich.' He is to execute the orders and processes of the Mayor.

(3) *Stonor* (*Estanore*).

We have already watched the triumph of Sandwich over its rival. In the fifteenth century Stonor had dropped out of the list of contributors to the common 'Purse.' Only a few houses survived a long series of disasters; and its mention in later charters must only be taken to show that there were still some few inhabitants left when they were granted.

(4) *Ramsgate.*

Though Ramsgate does not appear amongst the original Members of Sandwich, that was the Port to which it naturally gravitated, and the numerous Roman

remains found on the East Cliff show that its haven was during the Roman occupation a sort of out-port or 'Station' to Rutupiæ. Its position, like that of Deal, enabled it to defy the processes which were destroying its neighbours. Though the haven was small, and not well sheltered enough to attract the commerce which, on its way to London, enriched the ports of the Wantsum, Ramsgate was always a fishing-port, and important to the Isle of Thanet for the supply of its special commercial wants. Its fine old church of St. Lawrence dates perhaps from the reign of John, and as 131 persons paid Rome-scot in that of Edward I. the town was fairly populous. The fall of Minster may have affected its prosperity unfavourably; for in 1565 it had only 25 houses, 14 boats and vessels of from 3 to 16 tons, and 70 men concerned in the fishery; yet it paid its humble quota at the time of the Armada. As a port it had fallen lower still in James's reign; but if we may judge by the issue of copper 'tokens' in the time of the Commonwealth, it may by that time have become more independent of its nautical sources of wealth.

The modern rise of this considerable town is familiar to all. It continued to bear its share of the Cinque Port burdens as long as they were required, and still wears the mark. Even in the height of its prosperity and corporate dignity (granted in 1884), modern Ramsgate makes its reverence to its ancient but now humbler mistress, and as a 'Vill of Sandwich' submits to the jurisdiction of the Sandwich Recorder. It finds its account in various ways already indicated, and has even, in virtue of this franchise, carried along with it a district of St. Lawrence which has been quite recently

added to its old Cinque Port 'liberty.' Up to 1884 Ramsgate always received its Deputy from Sandwich.

(5) *Walmer.*

Walmer, like Ramsgate, was not one of the original Members of Sandwich, and when it became one in the later Middle Ages, seems to have been a sort of appendage to Deal. It is classed along with its neighbour in the humble contribution of a quarter-mark to the 'Purse,' and along with Deal and Fordwich for the transport of Queen Margaret and her son from France in 1470. It grew to somewhat more importance under the shadow of Henry VIII.'s castle, and still more when it became the residence of the Lord Warden. But the public interest centres in famous Walmer Castle, where Pitt often took counsel with Nelson when he landed from his flag-ship in the Downs, and where he set to work to organize and drill his famous Cinque Port Volunteers. To speak of the great Duke in his old age, and the simple little room in which he died, of his kindly ways, and his diligent discharge of the Lord Warden's duties, would be to trench upon the province of general history. Like Sarre, Walmer still receives a 'Deputy' from Sandwich.

(6) *Brightlingsea (in Essex).*

The exceptional character of the membership of this little Essex community has left a considerable mark on the records of Sandwich; but we need not, in order to account for that fact, go beyond the circumstances of its position. That in remote ages it represented in some form 'Othona,' one of the nine Roman Stations, under

command of the Count of the Saxon Shore, which has been lost to sight, can only be matter of speculation. Its Cinque Port membership is however very ancient, and certainly existed long previously to its formal commencement, since in 1441 it was declared at a Brodhull to have existed '*ab antiquo*.' Sandwich at that time adopted the Member with some reluctance; but it was the concern of the whole body, which no doubt found it a convenient fishing-station, and useful in restraining Yarmouth influence on the north side of the Thames. The contributions to its Head-Port were a constant bone of contention, but in 1491 they came to terms, and in 1560 Deputies began to be regularly appointed by the Mayor and two jurats of Sandwich from amongst four persons elected by Brightlingsea. In 1674 these Sandwich officers "kept Court and Sessions' there. A cessation of appointments took place in 1804, but they have been once more renewed in the present year, 1888.

NON-CORPORATE MEMBERS UNDER DOVER.

(1) *Margate.*

This was undoubtedly the senior Member of Dover after Folkestone and Faversham, since it appears alone on the list after those two corporate Members, in the Domesday Book of the Ports. It had some commercial importance as the place whence the Thanet corn was shipped for London. The loss of the mediæval records of Dover may account for the little we hear of a town which at least took the lead amongst the whole of the Cinque Port non-Corporate Members at the Siege of

Calais. It makes however a poor figure in the assessment to the 'Purse' in 1495, and in 1565 possessed only 108 houses, 15 vessels and boats of from 1 to 16 tons, and 60 persons occupied in fishing and 'carrying of grayne.' In short it was till recent times only a little town like Ramsgate, more ancient on the list of Cinque Port Members, but scarcely larger. Much the same good fortune has, within the limits of little more than a century, befallen both places, and for much the same reasons. Margate was incorporated in 1857.

(2) *St. John's*, (3) *Goresend, now Birchington*, (4) *Birchington Wood, now Woodchurch*, (5) *St. Peter's*, (6) *Kingsdown, and* (7) *Ringwould.*

No materials exist for any separate account of the above six non-Corporate Members annexed to Dover in the Middle Ages. As none of them appear in the assessment of 1495, they had either dropped out of the list, or, like Brightlingsea, made compositions with their Head-Port which do not appear in the common record. St. John's and Goresend, which last was gradually absorbed in Birchington and lost its name, were hamlets close by Margate, of which nothing distinctive as to Cinque Port Service has survived. For practical purposes of coast defence St. John's was, in 1572, classed with St. Peter's and Birchington as together capable of supplying 204 men for the General, and 170 for the Special, Band. Similarly Birchington and St. Peter's come before us in 1565, when the first was officially reported to contain 42 houses, but 'hath neyther shipp nor boate,' and the second, at this time called 'Brodstayers' (which lies in its parish, and again became

a separate place), had 98 houses, 8 boats, and other vessels of from 2 to 12 tons, and 40 men employed in them.

The four villages circled round Margate, forming a little cluster more or less identified with it, and one of them indeed having been absorbed within the extent of its modern boundaries; but though they owed their affiliation to Dover to this proximity, the elder Member had no concern in the government of the group. That was exercised by a Deputy sent in each separate case from the Head-Port; and Deputies are still supplied from Dover to St. John's (ex-municipal), St. Peter's, Birchington, and the 'Vill of Wood.' The church of St. John's, partly Norman, still witnesses to the early independence of that Member, the borough of Margate being included in the parish. Of the other two Members, Ringwould and Kingsdown, which lie close to Dover, we know even less than of the Margate group. The first of these still receives a Deputy from Dover.

NON-CORPORATE MEMBERS UNDER ROMNEY.

(1) *Old Romney.*

As modern antiquaries have succeeded in delivering us from the old derivation which connected 'Romney' with 'Rome' or 'Roman' in any form, so also have they got rid of the prefix 'New,' which was foisted upon it by mistake in the fifteenth century. It is now admitted to be a blunder to suppose Romney to have been a development of Old Romney, as Hythe was of West Hythe; and in the 'Romenel' of Domesday Book, the 'Rumenal' of the subsequent ages, and the

'Romney' to which these names finally reverted, we identify the original Cinque Port, not 'Old Romney' but the 'Romney' which owned St. Nicolas for its parish church, and included within its limits St. Lawrence and the Hospital for lepers—in short the ancient, mediæval, and modern 'Romney.' Old Romney was never anything more than a little agricultural village. It had a very ancient origin, distinct from that of its neighbour on the north side of the Rhee, and hence the name of 'Veu Romenel.' Centuries elapsed before the epithet 'New' was applied to the great town. Old Romney church, some parts of which are late Norman, bears no marks of former grandeur, and probably sufficed at all times for its wants, nor do any traces of important buildings suggest a different idea.

(2) *Bromehill, or Promehill.*

Though a Member of Romney, this place, situated on the border-line which divides Kent from Sussex, connects itself entirely in Cinque Port history with the first Winchelsea, whose humbler companion it was, and whose fate it shared. If the ancient tradition is correct, it must have been a large place. However this may be, we know that it was built upon a low sandy promontory or spit of sand which was sufficiently elevated to contrast with the low Winchelsea, and be called a hill, and that the terrible tempest of 1287 was the immediate agent of its destruction. Most of the inhabitants who escaped settled at Lydd. A distant part of the parish extended over a portion of the Kentish shore which was slightly elevated above the sandbank, and was long marked by the ruins of a church.

(3) *Dengemarsh and* (4) *Orwaldstone.*

These have been sufficiently noted under the heading of Lydd. Having after the Conquest been placed under the lordship of the abbot of Battle, they acquired a nominal independence which kept their membership distinct; but no contributions from them appear in any record, and neither of them seems to have contained more than a few scattered houses.

NON-CORPORATE MEMBER UNDER HYTHE.

West Hythe.

The relation of this Member to its Head-Port was almost the same as that of Old Romney to Romney, but was so far unlike that it really was the first site of the Hythe population at 'Hudanfleot.' It was gradually deserted by its chief inhabitants, who followed the shrinking lines of the haven and built new houses, as they pursued the retreat of the waves. West Hythe thus naturally retained its separate identity under the descendants of those who did not desert the original homestead, and the old but humble church. It was also a central point for the scattered population between it and Lympne; but the place was always, like Old Romney, insignificant, and never had the usual government by a Deputy distinct from that of its Head-Port. Hence of course it finds no place in the Assessment to the common 'Purse.'

Having now traced the separate fortunes, as well as the common history, of the towns and villages which

together made up the Cinque Port Confederation, no argument is needed to show that nothing could have saved them, and that therefore no one is to blame for their collapse. It was very far from being their own fault. They began their work earlier and declined sooner than the usual sketches would lead us to suppose; and they had become of little importance at the very time when we are first able to explore their internal history with light from local sources. Hence envy of their just claims to antiquity, honour, and respect has sometimes been associated with the ridicule attaching to hollow pretensions. But there has always been a brighter and truer aspect of their expostulating attitude; and now that the lapse of time and the progress of legislation have remedied, with even perhaps too severe a hand, past anomalies, the people of England, it may be safely affirmed, regard with approval the revival of ancient assemblies and forms of an antique character which tend to encourage patriotism, and link by local ties the prosaic present to the ages of romance. When Great Britain ceases to regard with pride and thankfulness her past, and the emblems of her past, she will be ready for the doom long prophesied by her enemies.

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